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CORRESPONDENCE

RELATING TO THE

QUEEN'S JURISDICTION ON THE GOLD COAST,

AND THE

ABOLITION OF SLAVERY

WITHIN THE

PROTECTORATE.

*Presented to both Houses of Parliament by Command of Her Majesty.
February 6, 1875.*

LONDON:

PRINTED BY HARRISON AND SONS.

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Correspondence relating to the Queen's Jurisdiction on the Gold Coast, and the Abolition of Slavery within the Protectorate.

No. 1.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, August 20, 1874.

I HAVE the honour to transmit to you the inclosed Order passed by Her Majesty in Council on the 6th instant, by which the Legislative Council of the Gold Coast Colony, as constituted under Her Majesty's Charter of the 24th of July, is empowered to exercise by Ordinance all such powers as Her Majesty has acquired, or may hereafter acquire in the protected territories adjacent to the Gold Coast Colony.

2. Primarily the Legislature of the Colony can only exercise jurisdiction over the British Settlements on the Gold Coast and at Lagos, and the object of the present Order in Council is to extend its authority to the protected territories as far as it is competent for the Crown to do so, that is by delegating to it such powers as the Crown itself possesses.

3. A somewhat similar Order in Council was passed in April 1856, conferring certain powers of legislation in respect of the protected territories on the then existing Legislature of the Gold Coast.

4. It was considered desirable on the occasion of the constitution of the new Legislature to issue a fresh Proclamation, and one which would be wider in its terms than that of 1858.

5. You will duly proclaim this Order in Council.

6. You will observe that it is not confined in terms to the Gold Coast Settlements, properly speaking. But Her Majesty's Government do not wish to be understood as, therefore, desiring to exercise any greater interference than hitherto in the so-called protected territories of Lagos. No change should be made in the relations of the Government with those territories unless after very careful consideration and with the previous consent of the Secretary of State.

I have, &c.
(Signed) CARNARVON.

Inclosure in No. 1.

Draft of an Order of the Queen in Council for determining the mode of exercising the Power and Jurisdiction acquired by Her Majesty within divers Countries on the West Coast of Africa near or adjacent to Her Majesty's Gold Coast Colony.

At the Court at Osborne House, Isle of Wight, the 6th day of August, 1874.

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.
Mr. Secretary Cross.
Mr. Disraeli.

WHEREAS by an Act made and passed in the session of Parliament holden in the sixth and seventh years of Her Majesty's reign, intituled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers

Recital of 6 and
Vict., cap. 4.

countries and places out of Her Majesty's dominions, and to render the same more effectual," it was, amongst other things, enacted that it should be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty then had, or might at any time thereafter have, within any country or place out of Her Majesty's dominions in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory. And whereas by certain Letters Patent, under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster, the 24th day of July, 1874, in the thirty-eighth year of Her Majesty's reign, Her Majesty's settlements on the Gold Coast and of Lagos were constituted and erected into one colony, under the title of the Gold Coast Colony, and a Legislative Council was appointed for the said Colony with certain powers and authority to legislate for the said Colony, as by the said Letters Patent, reference being had thereto, will more fully appear. And whereas Her Majesty hath acquired power and jurisdiction within divers countries on the West Coast of Africa near or adjacent to Her Majesty's said Gold Coast Colony, and it is expedient to determine the mode of exercising such power and jurisdiction. Now, therefore, it is hereby ordered, with the advice and consent of Her Privy Council, as follows:—

1. It shall be lawful for the Legislative Council for the time being of the said Gold Coast Colony, by Ordinance or Ordinances, to exercise and provide for giving effect to all such powers and jurisdiction as Her Majesty may, at any time before or after the passing of this Order in Council, have acquired in the said territories adjacent to the Gold Coast Colony.

2. The Governor for the time being of the said Colony shall have a negative voice in the passing of all such Ordinances as aforesaid. And the right is hereby reserved to Her Majesty, her heirs and successors, to disallow any such Ordinances as aforesaid, in whole or in part, such disallowance being signified to the said Governor through one of Her Majesty's Principal Secretaries of State, and also to make and establish from time to time, with the advice and consent of Parliament, or with the advice of her or their Privy Council, all such laws or Ordinances as may to her or them appear necessary for the exercise of such powers and jurisdiction as aforesaid, as fully as if this Order in Council had not been made.

3. In the making and establishing all such Ordinances, the said Legislative Council shall conform to and observe all such rules and regulations as may from time to time be appointed by any instruction or instructions issued by Her Majesty with the advice of her Privy Council, and, until further directed, the instructions in force for the time being as to Ordinances passed by the said Legislative Council for the peace, order, and good government of the said Gold Coast Colony shall, so far as they may be applicable, be taken and deemed to be in force in respect of Ordinances passed by the said Council by virtue of this Order in Council.

4. In the construction of this Order in Council the term "Governor" shall include the officer for the time being administering the Government of the said Gold Coast Colony.

And the Right Honourable the Earl of Carnarvon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(Signed) ARTHUR HELPS.

No. 2.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, August 20, 1874.

IN my despatch of the 20th instant* I had the honour to forward to you an Order made by Her Majesty in Council, which delegates to the Legislature of the Gold Coast the exercise by Ordinance or Ordinances of such power and jurisdiction as Her Majesty has or may at any time have acquired in the territories adjacent to the Gold Coast Colony.

2. The Legislature of the Gold Coast Settlements has from time to time enacted Ordinances which were intended to take effect beyond the local limits of the British Settlements of the Gold Coast. Doubts, however, have been entertained as to the validity and force of such legislation, and in 1855 the Law Officers reported that such assumption of authority was not justified.

* No. 1.

Recital of Charter of Government for the Gold Coast Colony, July 24, 1874.

Legislative Council of Gold Coast Colony may regulate exercise of powers acquired by Her Majesty in adjacent territories.

Governor to have veto on laws.

Disallowance of laws.

Rights of legislation reserved to Her Majesty.

Rules to be observed in passing laws.

3. Her Majesty's Government, having decided to establish a new Colony and Legislative Council for the Settlements of the Gold Coast and Lagos, vesting in that Council the power to legislate for the protected territories on the Gold Coast, the Law Officers were requested to report upon the subject; and, in accordance with their opinion, of which I annex a copy for your private information, the Order in Council already transmitted to you was passed. By this Order the Local Legislature is (subject to the conditions and reservations therein specified) clothed with whatever legislative authority Her Majesty has or may hereafter claim to exercise on the Gold Coast.

4. This having been done, it becomes advisable to define as clearly as may be the extent of Her Majesty's power and jurisdiction, so as to prevent misunderstandings in future, and to enable the Colonial Legislature to know on what subjects it may properly legislate.

5. I need not here examine in detail the origin and history of the peculiar jurisdiction exercised by this country in the protected territories of the Gold Coast. Carried to its highest development under Governor Maclean, its existence is first authoritatively recorded and recognized in the Report of the House of Commons' Committee of 1842, which, in recommending the continuance of the system, suggested that it should be made the subject of distinct agreement with the native Chiefs. That recommendation resulted in the negotiation with the native Chiefs of the document called the Bond of the 6th of March, 1844, which is the only document purporting to define the extent of the Queen's jurisdiction on the Gold Coast in other than strictly political matters. But that definition, either from being an inadequate representation of the facts as they then existed or from change of circumstances, no longer truly expresses what Her Majesty's Government believe to be the extent and scope of Her Majesty's power.

6. The Bond grants to Her Majesty's officers the right to try and punish crimes and offences and to repress human sacrifices, panyarring, and other unlawful acts and barbarous customs. It is silent as to the Queen's right by her officers and delegates to collect customs, to administer civil justice, to legislate for the public health, to erect municipalities, to provide for education, to construct roads and regulate the industrial and social economy of the Protectorate. On all these matters the Legislature or Government of the Settlement have, with or without the co-operation of the native rulers, exercised authority to an extent which, strictly speaking, could only be justified on the assumption (the justice of which I am satisfied is not open to question) that these matters have by usage and by the sufferance and tacit assent of the natives fallen within the province of the Queen's authority.

7. The necessity of some more adequate definition of the Queen's authority than the obsolete Bond of 1844 being thus apparent, it remains to be considered whether that definition should take the form of a Bond to be negotiated with the Chiefs, as in 1844, or a Proclamation emanating from the sole authority of the Queen.

8. In 1844 the method of proceeding by negotiation was recommended by obvious considerations of prudence. But in the thirty years which have since elapsed the power and resources of the British Government have been gradually increasing, until, by the recent victories of the British forces, they have been so strengthened and consolidated as to render an act of sovereign power, such as a Proclamation of the Queen, the only appropriate mode of proceeding for the attainment of the desired object. It may be added that there are many objections of policy to proceeding by way of negotiation. It is not for Her Majesty to take as a grant what is already claimed and held as a right; whilst, looking to the number of petty Chiefs on the coast, and the obscurity in which their relations with one another are involved, there would be some danger of not inviting the concurrence of Chiefs who might afterwards allege, and with a certain show of reason, that their consent was as requisite as that of others whose co-operation had been asked and given. Besides this, the Government would be placed in a position of much embarrassment if any considerable body of Chiefs refused their consent in part or in whole to the proposed Treaty.

9. On the other hand I should be anxious to avoid the risk, if any, attendant upon this manner of proceeding of alienating the feelings of the natives, and I am fully alive to the importance of their willing co-operation in the work of promoting the civilization and prosperity of the Protectorate. The nature of the proposed terms are such as, if not fully and clearly explained, might excite the alarm and aversion of the less intelligent rulers, whilst a too hasty assumption of authority might create a feeling of discontent, and possibly lead them to seek alliances beyond the Protectorate with tribes hostile to our power.

10. Before coming to any conclusion as to the best mode of procedure, I desire to

know your opinion on a question which is, perhaps, as difficult as any that you may be called on to deal with, and one that demands the exercise of the most delicate tact and judgment. I inclose a draft of a Proclamation which I have caused to be prepared for consideration.

11. In defining the nature of the Queen's Protectorate on the Gold Coast, it may be well also to define and limit the local extent of that Protectorate.

12. What may be termed the natural boundaries of the Protectorate to the north and east are, to a great extent, marked out by the course of the Prah and the Volta, and the lagoon dividing Quittah from the sea; but considerations connected with the protection of trade and the collection of revenue may compel your Government to plant establishments or exercise jurisdiction in parts of the Ahoonah country lying to the east of the Volta and behind the Lagoon. The question of the northern limit of the Protectorate towards the Croboe and Aquamoo country will also call for careful examination in connection with the request of the Aquamoo people to be included in the Protectorate, recently reported by Dr. Gouldsbury, and it may be worthy of consideration whether some limitation should not be put on what are usually regarded as the boundaries of British jurisdiction in the little-known regions of the north-west.

13. Up to this point I have confined my observations to the Protectorate adjacent to the Gold Coast Settlement; but a further question of grave importance presses for consideration with reference to the boundaries of British territory and the British Protectorate at Lagos, for it will not have escaped your notice that the language of the Order in Council in effect delegates to the local Legislature Her Majesty's rights over both Protectorates. As bearing upon this point I may refer you to Lord Kimberley's despatch of 5th April, 1873, to Governor Keate.

14. You are well aware that the effect of including, under the same provisions and procedure, the area of country which has been called the Protectorate of Lagos, would have to be seriously considered, as possibly involving us in difficulties with the neighbouring nations, which might prove deeply injurious to the prosperity of that Settlement. The history of our relations with the protected territories of Lagos differs entirely from that of our relations with the protected territories on the Gold Coast. Her Majesty's Government have not assumed to so great an extent at Lagos as at the Gold Coast the direction of political and other affairs, and the Queen's forces have not at Lagos, as on the Gold Coast, been associated with the native Powers in hostile alliances against a powerful common foe. For these reasons I am inclined to think that the Queen's authority as a protecting power need not, under present circumstances, be declared to extend to the Protectorate of Lagos, as proposed to be defined in the Draft Proclamation, although, of course, under our Treaty engagements, we must continue to exercise a control over the affairs of that part of the coast, and in some sense to discharge the functions of a protecting Power.

15. I have to request your opinion and criticisms, together with those of Mr. Chalmers, on the draft Proclamation, as well as on the form it should assume, and the territories to which it should be declared to extend. I shall be glad to receive your answer as soon as you feel yourself able to come to a conclusion on the various questions contained in this despatch.

16. If, contrary to my expectations, it should seem desirable to proceed by Treaty engagements with the native Chiefs, the draft Proclamation, with due alterations of phrase, will probably suffice as a draft of the bond which those Chiefs would be required to sign. But I have to request that you will apply to me confidentially for further instructions before taking any open action in the matter.

17. I need hardly add that, in the meantime, it will not be desirable for the Legislative Council, unless some very special emergency should arise, to attempt to exercise the powers vested in them by the recent Order in Council.

18. There remains the question of the existence of slavery within the range of the Queen's influence and authority. It is one surrounded by many and serious difficulties, but it is also one which affects, by its existence, not only the honour and traditional policy of this country, but the welfare and good government of the Gold Coast. It has ever, since I received the seals of this Office, engaged my anxious attention, and though Her Majesty's Government could not consent to have the decision of it forced upon them, and to be pledged to some precipitate and probably ill-considered course of action, they have at no time abandoned the hope and intention of extinguishing an evil which they have been compelled to tolerate, but in which they have never acquiesced. The time has now, in my opinion, arrived when at least the possibility of dealing with this important question may

receive a careful and dispassionate consideration; and I propose to address you in another despatch on this subject.

I have, &c.
(Signed) CARNARVON.

Inclosure in No. 2.

Draft of a Proclamation defining the Nature and Extent of the Queen's Jurisdiction on the Gold Coast.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these presents shall come greeting:

WHEREAS, by an Act of Parliament made and passed in the Session of Parliament holden in the sixth and seventh years of our reign, intituled "An Act to remove doubts as to the exercise of Power and Jurisdiction by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, and to render the same more effectual," it is, amongst other things, enacted that it is and shall be lawful for Us to hold, exercise, and enjoy any power or jurisdiction which We now have or may at any time hereafter have, within any country or place out of Our Dominions, in the same and as ample a manner as if We had acquired such power or jurisdiction by the cession or conquest of territory:

And whereas We have by grant, treaty, usage, sufferance, and other lawful means acquired, and do hold, exercise, and enjoy power and jurisdiction in divers countries on the west coast of Africa, near or adjacent to Our Gold Coast Colony:

And whereas by an Order made by Us in Council, bearing date at Osborne House, on the sixth day of August, in the year of our Lord one thousand eight hundred and seventy-four, it was amongst other things ordered that it should be lawful for the Legislative Council of Our said Gold Coast Colony for the time being by Ordinance or Ordinances to exercise and provide for giving effect to all such power and jurisdiction as We might at any time, either before or after the passing of the said Order in Council, have acquired in the said territories adjacent to the Gold Coast Colony:

And whereas the extent and nature of Our power and jurisdiction, as now actually holden, exercised, and enjoyed by Us in the said territories have not been anywhere by Us fully declared:

And whereas it is expedient, for the guidance and information, as well of the Legislature of Our said Gold Coast Colony, as for that of the native Chiefs and Rulers living under Our protection in the said territories, that the nature of Our power and jurisdiction, as well as their local limits, be declared by Us.

Therefore We do declare as follows:—

Our power and jurisdiction which We have acquired as aforesaid extends amongst other things to—

I. The preservation of the public peace and the protection of individuals and property.

II. The administration of civil and criminal justice, including—

(1.) The constitution and regulation of a Superior Court of Justice, such as that which has been hitherto known as the Judicial Assessor's Court, of District Magistrates' Courts, native Courts, and such other Courts as it may from time to time be deemed expedient to create.

(2.) The enactment of laws relating to crimes, wrongs, personal rights, contracts, property rights, and fiduciary relations similar to those prevailing in Our Gold Coast Colony, but framed with due regard to native law and customs where they are not repugnant to justice, equity, and good conscience.

(3.) The determination of appeals from native Tribunals to magistrates, or to some superior Court.

(4.) The apprehension and trial of criminals and offenders of all kinds in any part of the said territories.

(5.) The supervision and regulation of native prisons.

III. The extinction of human sacrifices, panyarring, judicial torture, and other immoral, barbarous, and cruel customs.

IV. The abolition of slave trading.

V. Measures with regard to domestic slavery and pawning.

VI. The protection and encouragement of trade and traders, including the con-

struction, maintenance, and improvement of roads, paths, bridges, harbour works water ways, telegraphs, and other public works, which benefit trade and promote civilization.

VII. The maintenance of an armed police force for the preservation of internal order and the prevention of foreign aggression, and the organization of the military forces of the native Rulers in alliance with Her Majesty.

VIII. The settling by the authority of the Governor of Our Gold Coast Colony of disputes arising between different Chiefs and Rulers in the said territories.

IX. The promotion of the public health, including the imposition, with the assent of the native Chiefs, of sanitary rates in towns and villages.

X. The establishment of municipalities.

XI. Public education, including industrial and religious training.

XII. The raising of a revenue by licenses and customs, and by such direct imposts as the native Chiefs and Rulers, or a major part of them, may agree to.

And further, We declare that the under-mentioned territories are those within which at the present time We have power and jurisdiction as aforesaid.

[List of territories to be inserted by the local authorities in the first instance.]

No. 3.

The Earl of Carnarvon to the Officer Administering the Government of the Gold Coast.

Sir,

Downing Street, August 21, 1874.

IN conformity with the intention I expressed to you in my despatch of the 20th instant,* I desire now to address you on the subject of slavery and slave-dealing in the protected territories of the Gold Coast.

2. Her Majesty's territorial dominion on the Gold Coast is of narrow local range. It extends merely to the forts, or at most to so much of the lands immediately adjacent, as may be required for defensive, sanitary, or other purposes essential to the maintenance of the British position on the coast. All beyond that area is foreign territory.

3. Within British territory slavery has, I need scarcely say, no existence. It ceased by virtue of the Act of Parliament of the 3rd and 4th Will. IV, cap. 73. But in the territories which lie beyond that range, the rule is otherwise. That country is foreign soil, divided amongst native Chiefs and rulers standing in no relation of allegiance to Her Majesty, independent of one another, and each presumably sovereign within the local limits of his own domain.

4. But within the territory of each such ruler, the English Sovereign has, by cession or sufferance, acquired a varying degree of authority, and over the whole an undefined and somewhat anomalous jurisdiction.

5. Hitherto, that authority has not been regarded as entitling the Crown to interfere directly with the system of slavery and slave-dealing which has existed by law and custom in these territories from time beyond the memory of man. The eminent Statesman who was Secretary of State for the Colonies in 1841, did not hesitate to lay down this doctrine, "If the laws or usages of these countries," said Lord Russell in a despatch of the 14th July of that year, "tolerate slavery, we have no right to set aside those laws or usages, except by persuasion, negotiation, and other peaceful means." Whilst I am not prepared to dispute the political wisdom of this proposition, viewing it, as is only just, in reference to the circumstances and possibilities of the time when it was laid down, I would observe that even then the British Government, through the Judicial Assessor and the general administration of the Settlement, exercised, though an indirect yet a powerful influence upon slavery, as well as upon the other barbarous customs of the Gold Coast, and mitigated in a material degree its miseries and injustice.

6. The jurisdiction of the Judicial Assessor, in the language of one of the most distinguished of my predecessors in this office, the late Earl of Derby, "had its origin in a desire to mitigate, by the influence of Christianity and civilization, the effects of cruel and barbarous customs; it has been brought into operation upon a state of society, and under relations to savage tribes, necessitating a neglect of all technical rules and observances. In its effects it has undeniably been the means of insuring justice, preventing cruelty, and promoting civilization."

* No. 2.

7. Further than this, however, the Government did not attempt to go. The right was not claimed, and the duty was denied, of making any more direct attack on this ancient institution of the country.

8. But the time has now come when it appears to me possible to lay aside the somewhat timid attitude which was, in a great measure, imposed upon my predecessors by the force of circumstances, and even to incur some risk for the sake of removing the dishonour and moral taint which is incurred by a toleration of slavery, when once that toleration ceases to be a matter of absolute necessity.

9. At the beginning of last year the tribes of the Fantee Protectorate were invaded by an Ashantee Army estimated at 40,000 men, and led by a General of the King's family. This army defeated and broke up the united armies of the Fantee tribes in two pitched battles, laid the whole country waste by fire and pillage, and proceeded even to attack the fortified English Settlements on the seaboard. That attack was, indeed, easily repelled by the disciplined English forces, armed, as they were, with weapons of precision; but the whole of the Protectorate, as before, lay helpless and unresisting at the mercy of the conqueror.

10. At this juncture in the affairs of the Fantees, Her Majesty's late Government dispatched to Cape Coast Castle one of the most distinguished Commanders in Her Majesty's service, with a numerous and capable staff, and with a considerable body of soldiers, assisted by a naval force, to repel the invasion; having sent about the same time another officer of capacity and experience, well acquainted with the West African natives, to organize the tribes of the Eastern Protectorate, and to carry the war into the Ashantee territory.

11. The Fantee Chiefs and people did little or nothing for their own deliverance. But the Queen's troops and seamen, aided by native levies from Sierra Leone, Lagos, and Bonny, fought the battles of the Fantees, cleared the Protectorate of their enemies, followed the army of the King of Ashantee into his own territory, defeated it in three pitched battles, possessed themselves of his capital city, and compelled him to agree to a Treaty of Peace which it may be hoped will effectually secure the Protectorate from annoyance on the part of their old enemies.

12. I have been thus particular in recapitulating the events of the late war, because I hold and am desirous of pressing on the Fantee Chiefs, that as by the costly and unaided efforts of the Queen they have been raised from the abyss of misery and defeat in which they lay, to a position of peace and security, so Her Majesty, as their deliverer, is entitled to require of them a greater degree of deference and conformity to the known desires of herself and her people than she has in former times exacted.

13. Nor is it intended that Her Majesty's title to their co-operation should rest upon their rescue and protection only. It is hoped so to influence their internal affairs and their relations with their neighbours, as to promote greatly their trading interests, and bring them prosperity as well as peace.

14. The Chiefs and the inhabitants of the Protectorate should be frankly informed that in return for the benefits thus conferred their co-operation is required in the pursuit of one principal and paramount object, which Her Majesty's Government will employ their unremitting efforts to accomplish, and this is, the immediate abolition of slave-dealing and the importation of slaves, to be followed by such regulation of the relations between master and slave as shall ultimately, and in no long course of time, effect the extinction of slavery itself.

15. In making this avowal care should be taken to excite no needless fears, such as might arise if it were to be supposed that what is contemplated is some sudden and ruinous subversion of the existing social relations depending upon slavery, without regard to the various interests which have grown up and are closely connected with it. But Her Majesty's Government desire that their abhorrence of slavery and their determination to take measures for its ultimate abolition, as well as for the immediate abolition of slave-dealing by importation, should be declared at once, because it is now, when the impression made by recent events is fresh and strong, that such a declaration will be opportune, supported as it must be in the minds of the natives by a sense of what has been done for them; by a recognition of the homage due to the power and beneficence of the British Crown, and by a lively consciousness on the part of the owners of slaves themselves, that it is owing solely to the British nation that they are not themselves the slaves of a foreign Power.

16. Under such circumstances it is not in mere acknowledgment of indefeasible right of property, impossible as it would be wholly to ignore, under the circumstances of the case, that there are certain rights of property vested in the owners of slaves on the Gold Coast, as there were forty years ago in the West Indies, that Her Majesty's

Government abstain from enforcing their immediate emancipation; it is also from a sense of the evils and sufferings that might be occasioned to the slaves themselves, as well as to other classes, by an abrupt dissolution of ties by which the whole fabric of society has been hitherto held together, and which are interwoven with all their traditional sentiments and usages.

17. But there are no such considerations to dissuade the immediate abolition of slave-dealing by importation. This is an outrage and a crime, and must be punished as such wheresoever the authority of the British Crown can avail to bring it to justice. I have to request, therefore, that, in concert with your legal adviser, you will prepare for submission to Her Majesty's Government the draft of an Ordinance by which full punishment shall be awarded for this offence, and by which every person brought under compulsion within the Protectorate from beyond its bounds for the purpose of being sold or otherwise dealt with as a slave, shall be declared free.

18. Slave-dealing, by the sale or pawning of slaves who are natives of the Protectorate or already within its limits, is a matter of more difficulty. The Doncos or slaves of foreign extraction may, perhaps, be dealt with on a different footing from the others. They are said to be treated with much more harshness than the native slaves, and this may well be believed, inasmuch as they are without blood relations or connections to interfere for their protection. And, at the same time, their isolated condition may render their liberation a matter of less difficulty than the liberation of native slaves. What are the numbers of the Doncos I am not informed; but, if they are not numerous, I suggest for your consideration the question whether they and their children might not be emancipated at once by payment to their owners by the Government in fixed annual instalments of the total sum of 8*l.*, as the estimated price of each of the adult slaves, with such addition for children, if any, as their estimated value might justify, on such slaves contracting with the Government to give their daily labour to the making of roads or other public works for such a term of years and at such a rate of wages as would provide for their subsistence, and that of the children, if any, and at the same time reimburse the Government, wholly or in part, the sums paid for the slaves and their families. The practicability of this scheme would depend, amongst other things, on the means which the Government might have of inducing or coercing the performance by these liberated slaves of their contract to supply the required amount of labour. If necessity and the want of other means of subsistence were not enough, the means of coercion should certainly not be by corporal punishment.

19. I proceed now to the still more intricate question in what way to provide for the abolition of native and domestic slavery.

20. It is impossible to approach this subject at all without first setting forth on what understanding of the state of society the suggestions I have to make will be founded.

21. I am well aware that to give any concise or coherent statement of what are the chief features of slavery on the Gold Coast may be misleading, as conveying a notion of a state of law and feeling more fixed and definite than anything which exists in actual practice or in the minds of the people themselves. But, so far as I have been enabled to understand the state of things from the more authentic sources of information within my reach, it may be described as follows:—

Every man by birth is either a slave or liable at the will of others to be reduced into slavery, for slavery is an emanation of parental and family authority. Every man is saleable either by his father or by his mother, according to the character of the union subsisting between those parents.

“*Proles sequitur ventrem*” is the rule, and if the wife is the slave of the husband her children are from birth his slaves. If, on the other hand, the wife be a woman of free status, who contracts a free union with her husband, not only are her children not his slaves, but neither she nor they become members of his family. They are her slaves, supposing her to be *sui juris*, or the slaves of those under whose parental or family authority she herself may be.

Her property in the children, however, is said to be subject to this burden, that for each child which she bears she is liable to her husband for a payment in gold dust of a sum equal to about 1*l.* 2*s.* 6*d.* sterling. Subject to this, she has full dominion over the children. In default of payment, they stand pledges, or pawns, in the hands of the husband for the amount.

She herself stands a pawn for the amount of the dowry which her husband has paid her relations for her. On repaying that amount she is free to return to her family.

The debt of dower does not die with the husband, and the widow has either to pay it to his personal representative or submit to become that person's wife.

The children of free parents, although at any time liable to be alienated into slavery, are not, in default of alienation, regarded as slaves; and they designate themselves "free people," as distinguishing them from those who, being born of slaves, are slaves from birth.

The slave can marry, and is not incapable of entering into other contracts. He can acquire and hold property for himself, including property in other slaves; and, it is said, that slaves having risen to wealth and consideration superior to that of their masters have, in the end, purchased their masters as slaves for themselves.

By native law, indeed, there was no limit to the master's power of punishing his slave; but the modern law of the Protectorate, as moulded by English magistrates, so far as their influence has extended, is that cruel treatment forfeits the property of the master in the slave. If the ill-treatment proved has not been excessive, and it yet appears that the master and slave are not likely to agree, the matter is settled by the slave being allowed to find another master, to whom his former one is compelled to sell him. So, too, the forcing of a slave-wife to practice prostitution is a cause of manumission.

As between the slave and the outside world, it is alleged that his status does not affect him at all. As between himself and his master it involves an obligation of perpetual service in himself and his children, and a liability to reasonable correction, but not any further inequality.

But besides slavery proper, there is a species of slavery called "pawning," which has its origin in contract, and the chief features of which are that the pawn remains in servitude to a temporary master, as a pledge for debt. Debts by native law often bear a most usurious interest, and whilst the labour of the pawn does not go in reduction of the principal or interest of the debt, the pawn himself remains in servitude with the creditor till both of these are paid. It would appear that the debtor may extinguish the debt, by releasing to his creditor what may be called the equity of redemption in the pawn, which is effected with the cumbrous formalities incident to a barbaric sale.

A wife, as before stated, stands pawn for her dowry; and I understand that it sometimes happens that when her family become embarrassed, in consideration of an addition to the dowry already paid them, they relegate her finally into the slavery of her husband.

As debts bear a usurious rate of interest, it follows that they quickly assume such formidable proportions that pawns are rarely redeemed. Pawning, indeed, is the usual way in which the slavery of an individual to a new master commences, and a man probably pawns his children, his heirs, or his "family slaves," with an easier conscience than he would sell them, having the excuse that he means to redeem them, although he has no reason to believe that he will ever have the ability to do so.

The more, indeed, that I look into the question, the more I am led to believe that all paths lead to this practice of slavery—all customs connect themselves with it. The habits, themselves, of the people lead to the multiplication of debts, and, consequently, of pawns and slaves. Heavy damages are given in cases of adultery by the native Courts, and as these are regulated by the rank of the husband, many men are thus reduced into slavery. To these may be added, as causes fruitful of embarrassment, the expenses attending the celebration of all the principal events of life, such, even, as marriage and the funeral ceremonies.

There is another and a less harsh view presented by the domestic slavery of the Gold Coast. Economically, the condition of a slave may be, under some circumstances, even an advantageous one as compared with that of a free labourer. When, in 1841, Dr. Madden, the Commissioner despatched to the West Coast of Africa by Lord John Russell, offered the slaves of Accra their freedom, they asked him whether the Queen would give them anything to eat, as otherwise they would prefer to remain slaves. When, too, a free man falls into poverty he not seldom elects to become a slave rather than work for wages, as when he is a slave his master will be under an obligation to support him when sick, to make him annual presents, and to provide for him an appropriate burial at his death. In many respects the condition of the native slaves is one of social equality with their masters. The family slave sits at his master's table, eats from the same dish, shares his pleasures, and from preference occasionally marries his master's daughters. He is regarded as a member of the family, and has a voice in the family council, even when the question is as to who shall be selected for alienation into strange slavery, in order to extricate the family from embarrassment.

22. This account of slavery on the Gold Coast, which I have endeavoured to state with all fairness, and which I have derived alike from despatches in this Office, from Parliamentary Reports, and from the most trustworthy accounts which modern travellers have given us, resembles rather the patriarchal institutions of former, or the Turkish system of modern times, than the predial slavery of our West Indian Colonies previously to 1834.

23. But whatever external aspect of mildness and moderation slavery may put on under one form or another, it is never to be forgotten that its internal workings, could they be seen either in their general or in their exceptional character, would disclose an amount of miseries and sufferings, of injustice and cruelty, not experienced in any other condition of life, which defies all niceties of adjustment and regulation, and for which no Christian Government, if it has the power, ought to make itself responsible. Further, we must bear in mind that, in proportion as we succeed in promoting the commercial and industrial prosperity of the country, we add new temptations to the slave-owner to abuse his power, and we aggravate the sufferings of the slave. If the predial slavery of the West Indies was barbarous and inhuman, it was not because the slave-owner was uncivilized, but because the labour of the slave was highly lucrative, and because highly lucrative labour could not be exacted from slaves by any other instrumentality than the lash in the hand of the driver. If labour on the Gold Coast should become, as we hope it may, much more productive and profitable than it is at present, the inevitable consequence will follow that it will be extorted in larger measure and by severer means.

24. But I am further led to consider that, under the circumstances supposed, the value of slaves will be enhanced, and that, were a scheme of emancipation adopted which involved compensation in money to the slave-owner, the compensation, if left to be computed according to the current market price of the time, would become more costly in proportion as the country became more prosperous. It is therefore important that the existing price of slaves should be ascertained as nearly as may be, and that, in event of compensation being hereafter accorded, it should have reference to a price now to be fixed. The present price of a slave is said to be between 8*l.* and 9*l.* This, I presume, is the price of an adult able-bodied male slave. Sex, age, and health would, of course, vary the estimate, and it will be necessary that some scale should be established, according to which the value of each class of slaves should be determined.

25. At the same time it will not be desirable at present to hold out publicly to the owners of slaves any expectation that a claim to compensation in money will be admitted as a necessary condition of emancipation. Various projects of emancipation have been suggested or have come before me, some of which do, and others do not, contemplate compensation for the slave-owners; and I will proceed briefly to indicate those of them which appear to me to deserve consideration, being such as may possibly present, when modified or amplified, elements or modes of operation out of which a practicable scheme of emancipation may be constructed.

26. My attention has been directed by a person of high authority for his experience alike of Indian administration and Eastern slave-dealing, to the course taken by Lord William Bentinck, nearly fifty years ago, in treating the question of slavery in India, which was that of simply forbidding slave dealing, and providing that no Court should take cognizance of any right over the liberty or person of a servant, otherwise than under the ordinary rules of English law applicable to contracts for service between free men. He observes that "there was no disturbance of labour relations. Where the slaves were content, they went on serving. There was no excitement and no occasion for compensation. But the emancipation was far more complete and immediate than in any other country, and probably affected many more millions of men than in America and the West Indies put together."

I am not prepared to say how far slavery on the Gold Coast may be analogous to the slavery put an end to by Lord W. Bentinck in India, but it is scarcely conceivable that the abolition of Gold Coast slavery can be thus simply and easily accomplished. It is easy to conceive that, by such a course, the relations between husband and wife, and between parents and their offspring, which are now those of owner and slave, might very possibly cease to be so without any serious disturbance of the social fabric. Personal attachment and natural ties might combine with the force of custom and tradition to make the change gradual and easy. The enslaved relatives might not desire to assert their freedom, or their owners to insist upon their ownership. In the case, also, of slaves who are old or infirm, need and necessity might render the change practically inoperative, and leave the slaves where they were. To these classes might be added possibly no inconsiderable number of slaves who, being well treated and living

on friendly terms with their owners, would have no desire to be thrown upon their own resources, or to change the mode of life to which they have been accustomed. But, after every allowance has been made for slaves so circumstanced, it is only probable that there will be a large remainder, and especially of "pawns," who would hasten to avail themselves of their new immunities, and to quit the service of their masters.

And here, again, it should be remembered that the force of custom may operate unfavourably as well as favourably, and upon the master as well as on the slave, and that the master can scarcely be expected to submit quietly and with contentment to the sudden abrogation of his rights and loss of the services to which he has considered himself entitled by every law and usage of which he or his forefathers have had any knowledge or experience. It must rather be assumed that he will attempt to maintain his rights by coercion; and that the Courts, refusing to take cognizance of the relations between him and his slave, may generally, and where there is no domestic tie, be called upon to punish the masters in considerable numbers for acts of violence, whilst the Chiefs themselves, who sit in the Courts and are large slave-owners, will sympathize with the offenders against the new law rather than with those who invoke its protection.

27. But if we cannot venture upon any such general renunciation by the Courts of the jurisdiction which they now exercise over the relations between slave-owners and slaves, it may, nevertheless, be well deserving of consideration whether they may not safely refuse to recognize slavery as between husbands and wives, and as between parents and their offspring. I should greatly desire—if consistent with public safety and public interests—to see this step taken with the least delay; but whether or no this can be hazarded, there is one unnatural exercise of the rights of ownership in the alienation of near relatives by sale or by pawning, which ought, I think, to be abolished at once. The abolition, in addition to its direct contribution to the cause of freedom, would have an indirect result which is greatly to be desired. It would strike at credit and the facilities for contracting debt which are no doubt deeply injurious in other ways as well as in the propagation of slavery.

28. In this point of view, indeed, and in others, it is, I think, eminently desirable that there should be an immediate avoidance of all future contracts for the sale or pawning of slaves; and as this would deprive the slaves of the resource now open to them of transfer by their own desire from a worse master to a better, the rule prevailing for many years past by which the Courts have manumitted slaves in cases of cruelty, should be extended to all cases of unprovoked ill-treatment of a serious nature.

29. It appears from the evidence taken before the Committee of the House of Commons in 1865, that the German Missionaries in the Eastern Districts of the Protectorate have been enabled to effect the liberation of a considerable number of slaves amongst their Christian converts, by inducing Christian masters to agree to the gradual self-redemption of the slaves.

As I have already observed, the right of the slave to hold property does not appear to be questioned; and there can be no doubt that every slave who has the means should be invested with the right of purchasing his own freedom and that of his wife and children; and some scale of valuation should be devised founded in the case of self-purchase as well as in that of compensated manumission upon present values. But if the owner of valuable slaves were thus deprived of his right to retain them, he would no doubt think himself entitled to renounce the duty of supporting those whom, on a balance of profits and losses, he might consider to be burdensome rather than valuable; and it would be necessary to secure some provision for those of the old and infirm who have no natural claim upon him for support, or to add to the price of the valuable slaves an annual contribution by which he should be indemnified for the subsistence of the others.

30. When, in 1833, various plans were under consideration for effecting the emancipation of the slaves in our sugar Colonies, one was proposed by a very distinguished member of this Department, which has come under my attention, and of which the main features may be stated as follows:—

It was proposed that the entire slave population should be divided: 1. Into the two sexes; and 2. Into classes according to their ages; that upon each class of each sex a price per head should be fixed by law, arbitrarily, but founded as closely as was possible upon the average market price borne during the last ten years by slaves of the like age and sex; that this price per head of each class should be divided into six equal parts, each of those parts, therefore, representing the price of the slave's labour for any one of the six working days of the week; that the Government should immediately purchase for each slave between the age of 6 and 70, one of these six

working days by paying to the owner the sixth of the slave's price; that the slave should then be left, by his own exertions in this one free day, to gain the means of purchasing for himself a second free day; by his own exertions in the two free days to effect the purchase of a third: and so on till he should have accomplished the purchase of the remaining working days of the week, when he would be altogether free. Slaves in life at the period of this measure, but under 6 years of age, were to have their sixth day purchased and given to them as soon as they should reach age, whilst those above 70 years of age were to have the option of gratuitous freedom of retaining their claims of support by their owner and continuing under the obligations of slavery. The progeny thenceforth born of slave mothers were to inherit the sixth day, which should have been purchased for the mother, together with any such further days as she should have purchased for herself previously to the period of the birth.

The principle of this project was thus explained. Looking upon the evils and hazards of sudden emancipation as arising from the certainty that the great body of slaves would be liberated without any proof of their fitness for freedom, and with a presumption that they would not acquire in freedom any habits of voluntary industry, the chief aim of the project was to give the slave, with a small portion of immediate freedom, the power of reaching total and ultimate emancipation through the exercise of industry and not without it. In being thus, to a great extent, the agent of his own redemption from slavery, the slave would give undeniable proof of previous industry, and therefore of preparation, in one particular at least, and that, perhaps, the most important of all, for the state to which, with the assistance essential in the first instance, he should have worked his own way. The rapidity of the progress made towards freedom would be in the direct ratio to the good or the bad use which he might make of the portion first conferred upon him; whilst the general operation of the measure would be in accordance with the great principle by which the lives of men are governed, and to which all men are amenable: that which calls their powers and virtues into action for their own profit and advantage; and brings home to them the consciousness of a moral agency and responsibility, by making the good and evil of their lives the result of their own conduct.

The circumstances of West Indian predial slavery and of Gold Coast slavery, domestic or other, are so widely different, that even had this proposal been considered applicable to the one, it by no means follows that it could be satisfactorily adapted to the other. Assuming a fund to be forthcoming from which one day in the week could be purchased for an able-bodied slave on the Gold Coast at the price say, of 1*l.* 6*s.* 8*d.* (*i. e.*, one-sixth of his value), he might nevertheless fail to find within his reach any wage-earning employment by which he could turn the day to good account. It is possible, however, that to some extent, and in situations where road making or other public works might be in progress, a slave who was provided with the means of purchasing one day in the week might, with industry, earn the means of this piecemeal manumission. And in the Spanish Colonies in former times, under the name of the "coartado" system, this plan is said to have been in practical operation with beneficial effects.

31. Having regard to the small money value which slave labour bears at present, and to the probability that custom and circumstance stand in the place of law and of themselves suffice to maintain existing relations, I desire to hear from you, whether in your opinion, by the payment of a small compensation in money, such as it would be possible for me to sanction, the willing co-operation of the Chiefs and the large slave-owners may be obtained to the prospective extinction of legal slavery at the end of a short term of years. The extravagant rate of interest upon loans, perhaps, points to the prevalence of a low estimate of future in comparison with present advantages, and the short forecasts and improvidence which now renders the pawning of slaves for loans on these terms so frequent, may be equally available to facilitate their redemption from slavery on easy terms by immediate payments. It is possible that the Chiefs might be brought to agree to such an arrangement the more readily if warned that, whether in this way or some other, the legal status of slavery must cease at no distant time. For the purposes of such an arrangement it would probably be equitable that pawns should be taken to be the slaves of their present possessors, unless the indebted owner is able to pay his debt, including the arrears of interest, in which case the compensation should be payable to him, and the right to the services of the pawn should revert to him for the appointed term.

32. The various proposals which I have now indicated require a careful consideration whether for the adoption of their principles or to shape their details to the social and local conditions of the Gold Coast. There may be other measures which may be

better suited to the circumstances with which we have to deal, better suited to secure that universal and early emancipation which I have contemplated; but however this may be, I would wish you to prepare at once for an early declaration that all children born after the end of this year shall be born free. This can entail no practical hardship on the present holders of slaves; it is possible, it is right as a matter of policy; and it will remove from the next generation the sufferings and bondage which have cast a shadow upon English institutions on the West Coast of Africa.

33. In conclusion, I have merely to add that you have now before you, not only those proposals which have been suggested to Her Majesty's Government and which appear best to deserve attention, but also in some particulars the views and purposes which Her Majesty's Government entertain. What I desire is that, in conjunction with your Law Officer whose experience of the West Coast of Africa and the social conditions of its people, no less than his legal knowledge and abilities, gives great weight to his opinions, you will look into these matters in all their bearings, and report to me the conclusions at which you may arrive, always bearing in mind that the question at issue is not whether the legal status of slavery shall or shall not cease, nor indeed whether emancipation shall be deferred to some indefinite and distant date, for on those questions the mind of Her Majesty's Government is made up; but by what modes of proceeding the many difficulties in the way may be surmounted without sacrifice to those objects which are essential to public order and the peace of society on the Gold Coast.

34. There is one further observation which I think it necessary to make for your guidance. In the accounts which have been given of the structure of society by the most experienced and enlightened Administrators during and since the Government of Mr. Maclean, the patriarchal position of the Chiefs has been dwelt upon as the main stay of society. I am very imperfectly informed as to the alteration wrought by the events of last winter in the position of the Chiefs and in other elements of social organization; but of one thing there can be no doubt, that the importance to be attached to the views and sentiments of the Chiefs is not to be measured by their claims or by their deserts, inasmuch as both are wholly insubstantial, but by the value of their co-operation, whatever that may be, in giving beneficial effect to the changes we purpose to bring about.

I have, &c.
(Signed) CARNARVON.

No. 4.

Governor Strahan to the Earl of Carnarvon.—(Received October 12.)

My Lord,

Government House, Cape Coast, September 16, 1874.

I HAVE the honour to acknowledge receipt of your Lordship's despatch of the 20th ultimo,* forwarding an Order passed by Her Majesty in Council on the 6th of August, by which the Legislative Council of the Gold Coast, as constituted under the Charter of the 24th of July, is empowered to exercise by Ordinance all such powers as Her Majesty has acquired or may hereafter acquire in the Protected Territories adjacent to the Gold Coast Colony.

2. This Order in Council was duly proclaimed on the 12th instant.

I have, &c.
(Signed) GEO. C. STRAHAN, *Administrator.*

No. 5.

Governor Strahan to the Earl of Carnarvon.—(Received October 14.)

My Lord,

Government House, Cape Coast Castle, September 19, 1874.

I HAD the honour to receive on the 10th instant your Lordship's despatch of the 21st of August,* on the subject of slavery and slave-dealing in the protected territories of the Gold Coast.

2. Although only a short interval has elapsed since the receipt of your Lordship's despatch I feel that, after the consideration which I have given to the subject of

* No. 1.

† No. 3.

slavery on the Gold Coast since my arrival in the Settlement, and after a perusal of the elaborate statement of the various proposals in all their bearings which have been suggested to Her Majesty's Government as embodied in your Lordship's despatch, I am now in a position to report as follows:—

3. After due consideration of the several schemes indicated by your Lordship, I have decided on recommending a proposal, the main features of which are—

(1.) The immediate and absolute prohibition of slave-dealing in every form, including the prohibition of the importation into the Protectorate of slaves and persons to be sold as slaves, and a declaration of the unconditional freedom of such persons.

(2.) Provision that no Court, English or native, shall give effect to any right or claim affecting personal liberty except such rights as by the Law of England may arise under contracts of service, and as, without being repugnant to that Law, may arise out of the family and tribal relations which exist among the native inhabitants of the protected territories.

(3.) A declaration that all children born on and after a certain day (to be named) shall be free persons. Although no formal declaration is made of the freedom of the existing slave population, they would substantially and for practical purposes be equally free as these children.

4. The drafts of two Ordinances which have been framed by Mr. Chalmers for the purpose of carrying the above into effect are transmitted herewith, together with a draft Proclamation and Mr. Chalmers' Report regarding the detailed provisions of the Ordinances.

5. I would recommend that "the Gold Coast Slave-dealing Abolition Ordinance" should be passed as soon as possible, to be followed by the Proclamation marked A.

6. As a preliminary measure I have already sent to summon the Kings and Chiefs of the western and eastern districts, the former on the 16th of October, and the latter on the 5th of November next, when I propose to explain to them the views and intentions of Her Majesty's Government with regard to slave-dealing and the early abolition of slavery throughout the Protectorate. If this is done without exciting in their minds the fear that the social ties which have held good from time immemorial are to be suddenly rent asunder, the announcement will, in my opinion, be received very much as if they expected it, for there can be no doubt that something of the sort has been for some time and is now expected.

7. In confirmation of this opinion I may inform your Lordship that within the first three weeks after my arrival in the settlement I received applications from no fewer than four Kings of the Protectorate to assist them in recovering run-away slaves, and that on my replying to two of them through their messengers, and to the other two personally, that they were well aware that slavery was repugnant to the Queen, and that if they desired to secure the Queen's favour and protection the word "slave" must never again be mentioned by them in my presence, and that I would on no account interfere to bring back to them persons who desired to leave them. They received my answer with a submissive deference which I could not help feeling augured well for a speedy solution of the slave question on the Gold Coast, and I believe that the applications had only been made to feel their way as to what was to be the action of the Government under a new régime.

8. According to the manner in which the question of domestic slavery is received by the Kings and Chiefs, I would determine whether the "Gold Coast Emancipation Ordinance" and the Proclamation embodying the substance thereof, should be published immediately after the first Proclamation or be postponed for a time; although so important is it, in my opinion, to take advantage of the present time, when recent events are still fresh in the minds of the people, when the recollection of the dangers from which they were delivered by England's power has not yet died away, and before the power of King Coffee Calcalli is so crushed (which is by no means an unlikely contingency) as to give them no further cause for alarm, that I consider that postponement, except for some overpowering reason, would be inadvisable and impolitic.

9. The scheme which is now submitted is in substance identical with that referred to by your Lordship as having been followed by Lord William Bentinck in India with such good results. Although it may, and doubtless would, come into operation in the protected territories of the Gold Coast under circumstances different to those under which in India it was so successful, I am, nevertheless, of opinion that, here also, and more especially at the present time, there are many favourable conditions; and although it would be unwise to neglect due precaution against the risks which may attend the carrying out of such a scheme, there are many reasons

which induce me to believe that, under this scheme, the great end of emancipation may be speedily or almost at once obtained; that nowhere is there presented any obstacle which need be deemed insurmountable, or, indeed, which should involve any serious sacrifice of the interests which it is our duty to guard.

10. Before, however, entering into further detail regarding the operation of this scheme, or the dangers against which precautions should be taken, I venture to offer a few observations regarding those other schemes which your Lordship has been good enough to afford me an opportunity of considering. These involve compensation to the owners of slaves, either at the hands of the Government, or through the purchase by the slaves of their own freedom, either at once or by a gradual process, in which the proceeds of their labour would be accumulated, till the required amount of purchase money would have been made good.

11. As regards compensation by the Government, I am bound to say that I think it is excluded from consideration for one reason, to say nothing of others, viz., that the conditions and materials are wanting which would afford the slightest hope of its being honestly carried out. The numbers of the slave and of the free population, and their relative distribution in different districts, are not known, and as registration and other checks are impossible, I am convinced that claims for compensation, which it would be impossible to disprove, would be repeated again and again for the same individuals.

12. In the same way the recovery of any reimbursement from the manumitted slaves (although on this matter I would lay less stress) by their employment on Government works would, I fear, prove illusory. They would desert whenever more remunerative employment offered, or a love of idleness prompted them; severe punishments would become necessary without being effectual.

13. Similar objections apply to any process of self-redemption, especially when the payment, or the equivalent amount of labour was to extend over any considerable period. From the general absence of education, accounts would be impossible, and innumerable disputes would arise as to whether the amounts fixed as the price of redemption had been paid or not, which it would be impossible to solve.

14. Besides these considerations, it is not to be expected that the slaves in any large numbers would avail themselves of opportunities of self-redemption, and only very slowly would this method operate (if ever it sufficed) to wipe out the reproach of slavery in the Protectorate.

15. With regard to any right in the masters to compensation, without entering into the discussion of a question, which was assumed in the case of the emancipation of the West Indian negroes, it appears to me that the events which have recently occurred have done much, if not all, to obviate the necessity for any such discussion, even if otherwise it might have existed; and I conceive I do not much misinterpret or differ from the views of Her Majesty's Government if I consider that Her Majesty, in the sacrifices she has made in rescuing the owners of slaves—with the rest of the inhabitants of the Protectorate—from defeat and disaster, and from the slavery under a savage and blood-thirsty monarch which was certainly impending over all of them, has already done far more than made compensation for all the interests in their slaves these owners could possibly claim.

16. If the calculation were made between the masters and slaves themselves, it would be found in the majority of the instances that the slave has by his labour already paid the amount of a redemption many times over.

17. Most undoubtedly does this apply to the form of slavery where persons under the name of pawns are placed in servitude for debt. The creditor not only has the services of the pawn, but also a usurious interest on his debt, and as the money for the payment of which a pawn would be accepted as security is of small amount, their labour, even if its value be estimated at a low rate, must in each case suffice to pay up in a few years the debts for which they are pledged. The creditor retains, in addition, the right to recover principal and interest from the debtor, the slave as it were being thrown in as an element independent of interest.

18. To return now to the scheme which I have submitted to your Lordship, no serious difficulties, so far as I can anticipate, will be encountered in carrying out that portion of it at least which enacts the discontinuance of slave-dealing and of the importation of slaves.

19. In this view Captain Lees, Mr. Chalmers, and Dr. Gouldsbury, than whom none are better acquainted with the habits and feelings of the people of the Protectorate, entirely coincide.

20. The sale of domestic slaves within the Protectorate has not at any time, as I

am informed, been a matter of common practice; on the contrary, it is against the best standard of native feeling and is discountenanced by their laws, unless under exceptional circumstances in which it is permitted.

21. Neither does the importation of slaves into the Protectorate for the purpose of being sold take place to any very great extent. The persons who are thus brought in are generally the captives of wars or periodical raids amongst interior tribes, and the very fact of their sale being prohibited may be expected, as removing one of the inducements to desultory warfare, to render such wars less frequent. The provision that all persons so brought into the Protectorate become from that moment free renders purchase but a poor speculation, as the purchaser knows that the person purchased need only remain with him during his pleasure.

22. The cessation of the traffic would not affect any industry, or disturb any established or existing relations.

23. The system of giving pawns for debt is essentially one of detail, and is not likely to enlist any wide-spread sympathy, and I anticipate little difficulty in effecting its abolition. Credit may then, as your Lordship suggests, be less easily obtained; but I agree with your Lordship in thinking that the lessened facility for obtaining credit, and for making improvident bargains, will be a material gain to all concerned.

24. It is undoubtedly in the emancipation of the persons held as domestic slaves, who constitute the permanent slave population, that difficulties may, more probably than in the contest with any of the modes of slave dealing, be encountered, and I proceed to mention such of these as present themselves, most of which indeed have been alluded to by your Lordship.

(1.) I would mention, not as an obstacle to the execution of the scheme, but as an attendant risk—but one which neither myself, Captain Lees, nor Mr. Chalmers, for the reasons which I shall presently mention, consider as wearing any serious aspect—viz., that of poverty and consequent privation amongst the old and infirm slave population from the withdrawal of the support which they could claim as a right from their masters, and which was without question accorded. But the masters, ceasing to have the right to claim the services of their able-bodied slaves, may neither continue to have the will, or in some cases the ability, to give to the old and infirm the support which was customary; and where these are without blood relations it is possible that instances of real suffering might occur, to meet which it may become necessary that the Colony should make some provision.

(2.) A second possible obstacle has also been mentioned by your Lordship, the resistance which may be offered on the part of the masters, and its becoming necessary to inflict punishments upon them for forcible attempts to coerce the obedience of their former slaves.

(3.) It is more than probable that the slaves of the idlest and most disorderly class will be the first to take advantage of their freedom, and as these would not readily obtain maintenance from industrial pursuits, there might be the risk of their joining together in marauding parties to commit robberies on the roads, and in other ways prey upon the more industrious of the population.

(4.) It might be regarded as possible that such industry as already exists in the Protectorate might be arrested, or seriously disturbed, by the severance of the tie which has hitherto held employers and employed together.

25. To these your objections, which I have thought it right to notice, there is, in my opinion, a common answer applicable in varying degrees to all of them, viz., that the changes in the condition and mutual relation of the population will be much less rapid and sudden in fact than in theory might be supposed. Nothing can be more complete than the change which is contemplated, but its actual operation will, in all probability, be gradual.

26. I do not anticipate that the slaves will immediately in any large numbers leave their masters. The influence of habit and established associations, and the difficulty of obtaining a livelihood in other than the accustomed modes, will combine to prevent any general or wide spread exodus. Some of these will succeed in a new mode of life, and will increase the supply of labour in the coast towns; others, perhaps as large a number, will fail, and return to seek again the means of subsistence on their masters' farms or plantations, to talk perhaps of the privations they have undergone in the interval, which would prevent the remainder of the household from making a change until they could clearly see their way to bettering their condition. And again, on the other hand, the knowledge on the masters' part that they have no legal hold over these people may have the effect of securing for them an immunity from any ill-treatment calculated to cause discontent. The former slaves will be

freemen, but from a combination of causes such as the foregoing, it may be expected that in many, in fact in the great majority of instances, they will continue at least for some time to give their labour for an equivalent maintenance, and when the time comes when contracts of hiring shall have become the rule, the risks attendant on emancipation may be considered at an end.

27. A second consideration is that the attachment which the slaves form towards a house or a croom, in the prosperity of which their own interests are as much involved as those of their masters, would operate to prevent any sudden severance of the ties to which they have been accustomed.

28. A third consideration is that any irregularity or disturbance which may possibly take place will be matter of detail, and capable, without difficulty, if I anticipate correctly, of being met in detail. Some acts of violence on the part of masters may occur, and crimes may possibly be committed, but with a judicious exercise of the force at my disposal I do not believe that there will be any difficulty in repressing and promptly punishing lawless acts of whatever nature, should any such occur.

29. It might be a formidable contingency if any combination should take place in resistance to the change, as for instance by the masters combining with the slaves, both being misled or in ignorance of its real nature; but combination for resistance, or indeed for any purpose, except by the intervention of a civilized Power, is foreign to the disposition of the people, while the nature of the country itself, and the distance apart and separation of the various Chiefs and tribes interpose obstacles which of themselves they are incapable of surmounting; besides which, the recent expedition has left so strong an impression of Her Majesty's power and resources, that I do not regard any general or organized opposition, even if that might have taken place at some former time, as being now even a possible danger. At some of the larger of the coast towns, prudence will dictate proceeding with circumspection and under certain precautions..

30. Such, my Lord, are the views which, after consulting with Captain Lees and Mr. Chalmers, to both of whom I am much indebted for most valuable information as the result of their experience on the Gold Coast, I have considered it my duty to bring before your Lordship; and if they have not been placed before your Lordship with all the succinctness I should have desired, had time admitted of greater elaboration, I can only assure your Lordship that they have not been arrived at without much careful consideration, and that, should I be fortunate enough to be entrusted by your Lordship to carry out these proposals, no effort or precaution shall be wanting on my part to do so successfully.

31. I will only add that promptitude of action is an all-important element in my calculations of success.

I have, &c.
(Signed) GEO. C. STRAHAN.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

Inclosure 1 in No. 5.

An Ordinance to abolish Slave-Dealing in the Protected Territories.

	Title.
WHEREAS it is expedient that effectual measures should be taken for abolishing slave-dealing in the Protected Territories:	Preamble.
Be it therefore enacted by the Governor and Legislative Council of the Gold Coast Colony as follows, viz:—	Enactment.
I. This Ordinance shall come into operation upon shall thereupon extend and apply to the Gold Coast Colony and the Protected Territories.	and Commencement and application of Ordinance.
II. The term "Protected Territories" shall in this Ordinance mean the countries or territories on the West Coast of Africa, near or adjacent to the Settlement on the Gold Coast, wherein the Queen's Majesty has acquired powers and jurisdiction.	Signification in this Ordinance of term "Protected Territories.
III. Slave-dealing is declared unlawful and is hereby prohibited.	Slave-dealing prohibited.
IV. Whosoever shall, or shall attempt to do any of the acts hereinafter mentioned, that is to say—	Offence of slave-dealing defined
1. Deal or trade in, purchase, sell, barter, transfer or take any slave;	

2. Deal or trade in, purchase, sell, barter, transfer, or take any person, in order or so that such person should be held or treated as a slave;

3. Place, or receive, any person in servitude as a pledge or security for debt whether then due and owing, or to be incurred, or contingent, whether under the name of a pawn or by whatever other name such person may be called;

4. Convey or invite any person within the limits of the said Protected Territories in order, or so that such person should be dealt or traded in, purchased, sold, bartered, transferred, or become a slave, or be placed in servitude as a pledge or security for debt;

5. Convey or send any person out of the limits of the Protected Territories in order, or so that such person should be dealt or traded in, purchased, sold, bartered, transferred, or become a slave, or be placed in servitude as a pledge or security for debt;

6. Enter into any contract or agreement with or without consideration for accomplishing any of the purposes hereinbefore enumerated;

Shall, and shall be deemed to, have committed the offence of slave-dealing.

V. Whosoever shall aid, assist, counsel, request, order, or procure any other person to commit the offence of slave-dealing shall be deemed and be, guilty of slave-dealing, and may be tried and convicted either as an accessory before the fact to the principal offence or after conviction of the principal offender, or may be indicted and convicted of the substantive offence, whether the principal offender shall or shall not have been previously convicted or shall or shall not be amenable to justice.

VI. Every offence of slave-dealing may be inquired of, tried, determined, and dealt with as if the same had been committed within the Gold Coast Colony, or by the Court of the Judicial Assessor, or by any Superior Court of Justice having in the Protected Territories jurisdiction to try crimes and offences: Provided that the term "Superior Court," for the purposes of this Ordinance, shall include the Courts of such native Kings or Chiefs as the Governor may by his Commission authorize either specially to that effect or generally to try crimes and offences.

VII. Whosoever shall be convicted of slave-dealing shall be liable to be punished by imprisonment with or without hard labour, for a period which may extend to five years, and shall also be liable to be fined either in addition to, or in substitution for, such imprisonment.

VIII. Every person who shall be brought or invited within the Protected Territories from beyond the limits thereof in order or so that such person should be dealt or traded in, purchased, sold, bartered, transferred, or become a slave, or be placed in servitude, or transferred as a pledge or security for debt, shall be and is hereby declared to be a free person.

IX. Every present contract in which it is stipulated or agreed that any person shall be bought or sold or placed in servitude, or be transferred either as a pledge or security for debt, or in any other way shall, so far as regards any such stipulation or agreement be, and is hereby declared to be, wholly and in every particular, null and void; and every future contract which shall contain any such stipulation or agreement, shall be absolutely illegal.

X. This Ordinance shall be sufficiently cited for all purposes as the "Gold Coast Slave-dealing Abolition Ordinance, 1874."

Inclosure 2 in No. 5.

An Ordinance to provide for the Abolition of Slavery in the Protected Territories.

WHEREAS it is just and expedient to provide for the abolition of slavery and the emancipation of persons holden as slaves within the Protected Territories on the Gold Coast:

Be it therefore enacted by the Governor and Legislative Council of the Gold Coast Colony as follows, viz. :—

I. This Ordinance shall come into operation upon and thereupon shall extend and apply to the Gold Coast Colony and the Protected Territories.

II. The term "Protected Territories" shall in this Ordinance mean the countries or territories on the West Coast of Africa, near or adjacent to the Settlement on the Gold Coast wherein the Queen's Majesty has acquired powers and jurisdiction.

III. Every person who, after shall be born within the Protected Territories, whether of a free or slave mother, shall

Accessories to be deemed guilty as of principal offence: may be tried with principal offender, or separately.

Courts in which offence of slave-dealing may be tried.

Punishment on conviction.

Persons brought into the Protected Territories for slave-dealing purposes to become *de facto* free persons.

Slave-dealing contracts void.

Short title.

Title.

Preamble.

Enactment.

Commencement and application of Ordinance.

Signification in this Ordinance of term "Protected Territories."

Persons born after declared free:

be and is hereby declared to be a free person to all intents and purposes. But providing that, except in so far as not inconsistent with this Ordinance and with the Gold Coast Slave-dealing Abolition Ordinance, 1874, nothing herein contained shall be construed to diminish or derogate from the rights and obligations of parents and of children, or from any other rights and obligations arising out of and connected with family and tribal relationship. saving lawful exceptions.

IV. No Court of Justice, and no native King, Chief, or other native authority shall, in any suit, action, or proceeding, take cognizance so as to give effect to or enforce any right or claim over or affecting the liberty of any person save such rights as under the ordinary rules of English law applicable to the Gold Coast Colony may arise under and by virtue of contracts of service between freemen, or as, without being repugnant to the law of England, may arise out of the parental and tribal relations according to the customary law of the Protected Territories. No claim affecting liberty to be enforced judicially saving lawful exceptions.

V. This Ordinance shall be sufficiently cited for all purposes as the "Gold Coast Emancipation Ordinance, 1874." Short title.

Inclosure 3 in No. 5.

(A.)

Proclamation.

WHEREAS the Queen's Most Excellent Majesty has resolved to abolish slave-dealing in the Protected Territories of the Gold Coast, and the importation therein of slaves, and also to take measures at such periods as she may deem advisable for the abolition of slavery and the emancipation of persons holden as slaves within the said Protected Territories :

And whereas the Governor and Legislative Council of the Gold Coast Colony have in virtue of the powers vested in them and by Her Majesty's commands enacted an Ordinance bearing date

Now I do hereby proclaim, publish, and make known the said Ordinance to all persons whom it may concern.

And further, in order and to the intent that all the Kings, Chiefs, Headmen, and persons throughout the Protected Territories and elsewhere may the more readily understand and obey the law made and enacted by the said Ordinance, I hereby require everyone to take notice and observe that now and from henceforth :—

It is unlawful to sell, or purchase, or transfer any slave.

It is unlawful to sell, or purchase, or transfer any free person so as to make such person a slave.

It is unlawful to put any person in pawn for or on account of any debt.

It is unlawful to bring any person, whether slave or free, into the Protected Territories from Ashantee or elsewhere in order that such person should be sold or dealt with as a slave or pawn.

It is unlawful to take or send any person, whether slave or free, out of the Protected Territories in order that such person should be sold or dealt with as a slave or pawn.

It is unlawful to make any contract or agreement for buying or selling, or pawning any person, or for bringing any person into or out of the protected territories to be sold or dealt with as a slave or pawn.

Whosoever offends against any of these laws shall be punished with imprisonment and hard labour, and may also be fined. If in any contract it be agreed that any person shall be put in pawn the whole contract shall be null and void.

And further I do hereby make known to the Kings, Chiefs, Headmen, and all other persons within the protected territories whom it may concern that afterwards and so soon as the Queen's Majesty shall deem it most expedient and conducive to their welfare and prosperity, and shall so command, the Governor and Legislative Council will proceed to make further laws to provide for the total abolition of slavery and emancipation of all persons. But it is not intended by any such laws to force or to offer any inducement to any persons to leave their masters as may be desirous of remaining in their service, and it is intended in all respects to permit the family relations to continue according as used and wont, except only that of slavery and such customs as arise therefrom, and are thereon necessarily dependent.

Inclosure 4 in No. 5.

Sir,

Cape Coast Castle, September 18, 1874.

I HAVE the honour to transmit herewith the drafts of two Ordinances prepared in pursuance of your Excellency's instructions, entitled respectively—

1st. "An Ordinance to abolish slave-dealing in the Protected Territories;" and,
2nd. "An Ordinance to provide for the abolition of slavery in the Protected Territories."

2. By the first of these Ordinances it is intended to prohibit slave-dealing, including in that term the putting persons in pawn, and the importation from Ashantee or elsewhere into the Protectorate of slaves and persons intended to be sold as slaves, and to avoid *in toto* all contracts containing any slave-trading stipulation.

3. The 1st section provides for the application of the Ordinance to the Gold Coast Colony (to which I think it should be declared to apply, offences being triable therein) and the "Protected Territories," which term is defined in the next section; and, when completed, will fix the period for the Ordinance coming into operation.

4. The 2nd section defines, for the purposes of the Ordinance, the term "Protected Territories," which is limited to the territories adjacent to the "Settlement on the Gold Coast," the object of this limitation being to exclude any question concerning the application of the Ordinance to certain territories near Lagos, in which some protection is exercised, but of quite a different character to that at the Gold Coast.

5. By the 3rd section slave-dealing is prohibited.

6. The 4th section defines the offence of slave-dealing, and is intended to strike against the following acts:—

- (1.) Selling or buying any slave.
- (2.) Selling or buying any person, slave or free.
- (3.) Pawning or receiving any person in pawn for debt.
- (4.) Bringing any person into the Protectorate to be sold or made a slave.
- (5.) Conveying any person out of the Protectorate to be sold or made a slave.
- (6.) Making any contract for accomplishing any of the purposes prohibited, and against all forms and varieties of these acts, and against attempts.

7. Under the 5th section, accessories may be tried along with principals, or separately, and whether or not the principal has been convicted or be amenable to justice.

8. The sixth section determines the Courts in which slave-dealing may be tried. Under the first alternative, allowing the offence to be tried as if committed within the Gold Coast Colony, it is intended to leave matters open for summary jurisdiction in minor offences being given to Magistrates and Commandants, major offences being triable in the Supreme Court of the Colony. It seems expedient to declare a jurisdiction also in any Superior Court having jurisdiction within the Protected Territories. The offence may thus be tried before whatever Tribunal may be from time to time for all reasons the most eligible. I think that, for the present, at least, cognizance of the offence should not belong to any Chief's or King's Court as such. It may be expected that their sympathies would be more with the offenders than with the law, and that trials by them would frequently be illusory. Nevertheless, it would generally be very difficult in any case to estimate correctly to what extent such sympathy had operated, or to call the Chiefs to account for wrong decisions, and to exact a strict reckoning in such cases would lead occasionally to the risk of injustice being done, a risk which, for obvious reasons, is especially to be avoided in the working of this measure. To avoid complications, I am therefore convinced it is expedient that trials should only be had under the control of an English Judicial officer, unless where a native Chief has shown himself to such extent worthy of confidence as to receive a commission. Such commissions might, from time to time, be conferred as circumstances pointed out.

9. The 7th section enacts penalties. The maximum would only be applied in aggravated cases or after repeated offences. It has been placed at five years' imprisonment with hard labour. Fines may be imposed in any cases either in addition to or in place of any term of imprisonment. It has been considered expedient to leave the minimum of punishment undefined. It will, I conceive, be requisite carefully to avoid the risk of enlisting popular sympathy with any offender by any punishment that might be excessive.

10. By the 8th section every person brought into the Protected Territories for slave-dealing purposes is declared free.

11. By the 9th section all contracts into which any slave-dealing stipulation enters is avoided in every particular.

12. The second of these Ordinances (which may be passed either simultaneously with or subsequently to the first Ordinance), is intended to put an end to slavery as a legal status.

13. The 1st and 2nd sections are similar to the corresponding sections of the first Ordinance.

14. By the 3rd section every person born in the Protected Territories after a term which remains to be supplied, is declared free; parental and tribal authorities, so far as these would remain legally exerciseable, being saved.

15. By the 4th section it is provided that no Court shall give effect to any right or claim affecting personal liberty other than such rights as by the law of England arise under contracts of service, or consistently with that law, under the parental or tribal relations. It is necessary that the native tribunals should be included in the operation of this section, although not authorized to try the offence of slave-dealing by the former Ordinance, and to obviate any difficulty in construing, I have deemed it right to include the native authority here expressly.

16. The reservation of family and tribal relations in the 3rd and 4th sections it was thought requisite to insert, because from the circumstance of marriages valid by the law of England being almost unknown, the Courts might, in the absence of such a clause, have difficulty in taking cognizance of the natural relations of parent and child, and other similar natural relations, and of the obligations arising therefrom, in which, however, it is desirable they should preserve a jurisdiction. As a matter of policy, also, it seemed inexpedient to make any greater change on the native customary law connected with these relations than the object in view required.

17. It will be observed that, should the provisions of the 4th section become law, the declaration, in the 3rd section, of the freedom of children will operate rather as an announcement of their status, than as conferring upon them any different rights to those which would practically belong to all other persons through the non-enforcement of every claim adverse to liberty.

18. It will also be observed that no declaration is made of the freedom of the slaves now existing, nor are there any penal or prohibitory clauses directed against the holding of slaves. It was considered that the enactment that no claim affecting liberty should receive effect in any Court, as it practically and substantially abolished slavery, was sufficient, and that it was neither necessary nor expedient to insert any clause which might needlessly precipitate the breaking up of existing relations, whilst the character of these relations was, nevertheless, at once essentially changed. The servant is free, and may assert his freedom at any moment by separating from his master. Whilst he refrains from doing so the legal relation between him and his former owner would be simply that of master and servant under a tacit hiring. Should the master attempt to coerce him otherwise than the law of master and servant admits, the Courts would interpose for his liberation, and he would also be entitled to redress for the wrong done to him.

19. The law as to slave-holding would thus, in effect and for practical purposes, be placed upon an equivalent footing to that existing in the United Kingdom, where the holding of slaves was not *eo nomine* excluded by any statute specifically directed against it, but by the common law, as explained in *Sommersett's case*, and ever since acknowledged, with the distinction only, that what was established in England under the common law would be done in the Protected Territories by virtue of the Ordinance.

I have, &c.
(Signed) D. P. CHALMERS.

His Excellency Captain G. C. Strahan,
Governor of the Gold Coast.

No. 6.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, October 28, 1874.

I HAVE received your despatch of the 19th of September,* in which, after considering mine of the 21st August, you make a proposal for the abolition of slave-dealing and slavery throughout Her Majesty's Protectorate on the Gold Coast.

2. I have considered your recommendations with the care which their importance

* No. 5.

deserves; and in this reply I shall deal chiefly with some points connected with the time and manner most convenient for the enactment and promulgation of the two measures which you have prepared for terminating the institution of slavery; reserving for another despatch my observations on their detailed provisions.

3. Your despatch states very ably and forcibly the conclusions at which you have arrived; and I may here say that those conclusions derive additional weight from the character and experience of the gentlemen by whom you have been assisted in the consideration of this matter, and whose opinions concur with yours.

4. I shall hope to learn that the two meetings in which you designed to gather the general feeling of the Western and Eastern Chiefs and tribes, &c., have passed off satisfactorily and with good results.

5. If their feeling has proved to be such as you anticipated, you may at once proceed to summon the Legislative Council of the Gold Coast and procure the enactment of the Ordinance to abolish slave-dealing, which should be made to take effect after such short interval only as may suffice to ensure its provisions coming to the knowledge of those principally affected by it, and so that the traffic, odious as it is, in which they have been concerned, may not without fair notice to them assume the character of highly criminal offences.

6. The draft Proclamation which accompanied your despatch appears to me to be well suited to attain this object. Copies of it should be widely circulated, accompanied by explanations from trustworthy messengers of Government; and as soon as you have sufficient materials before you, I shall be desirous to receive a full report of the effect produced on the people by this measure.

7. It will in the next place be your duty to form a careful estimate of the whole situation, and judge whether the second Ordinance should be proceeded with in immediate succession to the first.

8. The decision to be taken on this question is a matter of gravity, to which you will give your most earnest attention. At this distance from the scene of action, and necessarily ignorant of many of those local conditions which may greatly affect the precise course to be taken, I cannot prescribe the details. I am happy to think that I can in such a question trust to your judgment and prudence, and I leave the decision of this delicate question with confidence in your hands. On the one hand I am personally anxious for the early completion of the work, and I am aware of the danger of delay. I know that where delays are interposed objections grow up and take shape which would not otherwise be felt or expressed. Sometimes where a great change has to be accomplished the difficulties are less when they are faced all together, and when the break with the past is made complete and instantaneous. The submissive attitude of the people which you report, and the effects on the public mind of the recent British successes, are arguments which tend to the same conclusion. On the other hand, you will have dispassionately to estimate the public temper, to watch for any signs of obstacles, to weigh their value, and to measure the difficulties against your own ability and means to overcome them.

9. If, upon a review of the situation, you can see your way prudently to act, and if, as I think probable, you consider immediate action clearly desirable, then you are not only at liberty, but you have my full sanction and authority, for proceeding with the second measure.

10. In the event of your deciding to take this course, you may rely upon every support that I can give you. I have entered into communication with the Lords Commissioners of the Admiralty, in order to procure for you such moral aid as is to be derived from the presence in the Colonial waters of Her Majesty's naval forces. Sir William Hewett is, as you know, absent at the Cape of Good Hope; but the officer immediately in command of the West African Division has been instructed by their Lordships to proceed to Cape Coast Castle, and to place his services generally at your disposal. Probably the arrangements which have been made may result in the presence of three of Her Majesty's steam-vessels of war at Cape Coast Castle. You will use your own judgment as to the display to be made of any part of this force, having due regard to the interests of the Naval Service generally, and the health of the ships' companies.

11. I propose, also, that the wing of the West India Regiment should remain on the Gold Coast for a further period; and, in the event of an emergency, you can have recourse to the remainder of the regiment, which is at Sierra Leone.

12. I hope, however, that you will not need its aid, but will carry through the measures in which we are now engaged with the ordinary means and resources at the command of the Gold Coast Government.

13. You must look mainly to your own armed force, and you will not only see that it is effective, but you will immediately increase it if you should see cause to think it insufficient for the duties which it will be required to discharge.

14. I have secured two additional officers for the Police, and am seeking the services of a third. I trust that all three officers will leave England by the mail of the 7th of November.

15. The able and experienced officer who has accepted the Collectorship of Customs sails by the steamer which carries this despatch. I trust that his presence will release you from some part of the labours of administration, which, at the present time, occupy an undue share of your attention.

16. I am also in correspondence with other persons of experience on the Coast, with a view to their proceeding temporarily to the Colony, and rendering you special aid at this juncture.

17. It may be convenient that one of these gentlemen should act as Colonial Secretary, and the services of another will be at your disposal for employment in a political capacity amongst the tribes. The officers in question will be appointed to the Council.

18. On this point, and adverting to the 17th paragraph of my despatch Secret of the 20th of August,* I have to observe that you will, no doubt, gather from this despatch that slavery and slave-dealing are subjects in which the Legislative Council of the Gold Coast is not to regard itself as bound by the instruction contained in that paragraph.

19. I have already indicated to you what would, in my opinion, be the proper date for the commencement of the Slave-dealing Ordinance. The date for the commencement of the Slavery Abolition Ordinance is another question. If it cannot be properly brought into force on the 1st of January, and it is found necessary to allow some further postponement of the emancipation, there could be no more fitting date than the Queen's Birthday for granting the boon of liberty to these humble dependents on her clemency and power.

I have, &c.
(Signed) CARNARVON.

No. 7.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, October 29, 1874.

IN accordance with the intention expressed in my despatch of the 28th instant,* I now proceed to address you on some of the details of the two draft Ordinances which you have prepared for effecting the abolition of slave-dealing and slavery in the Protectorate.

2. First, with regard to the Slave-Dealing Abolition Ordinance, I have to observe that my own opinion would have been in favour of providing a heavier maximum penalty than five years for the offence of slave-dealing; but, having reference to the considerations of local feeling and policy which have doubtless weighed with you, I am prepared to defer to the opinion which you and Mr. Chalmers entertain on the subject. In connection with the same Ordinance, I would suggest that words should be added to the 7th section, providing that, when a fine is inflicted, the offender may be imprisoned till the fine is paid.

3. With regard to the Slavery Abolition Ordinance, it may be convenient to decide that all children born after the date of the commencement of that Ordinance shall be deemed to be free persons. As to the commencement of this Ordinance, I have addressed you in my despatch of the 28th instant.*

4. In the 18th paragraph of his Report, Mr. Chalmers observes that hereafter "should the master attempt to coerce him (the slave) otherwise than the law of master and servant admits, the Courts would interpose for his liberation, and he would also be entitled to redress for the wrong done him."

5. Such interposition on the part of the Courts would, no doubt, be in accordance with the spirit of the Act, but I can conceive it being argued and held that, as this Ordinance does not in terms abolish slavery amongst persons born before the commencement of its operation, the 4th section must be regarded as engrafted on the pre-existing and still-existing system of slavery, and that, while the master's right to the services of the slave is not one which he can judicially enforce against a slave

* No. 6.

who has escaped from his power, yet his right is an existing one, and one which, while it is actually possessed in respect of a slave within his control, may be enforced and regulated as the right of a slave-holder usually is—by personal correction.

While, therefore, I concur in the omission of any formal declaration of emancipation, I would have you consider whether an additional clause should not be inserted enacting that any person hereafter assaulting or coercing another with a view to exacting service or obedience from him as a slave or pawn, shall be guilty of an offence.

I have, &c.
(Signed) CARNARVON.

No. 8.

Governor Strahan to the Earl of Carnarvon.—(Received November 20, 1874.)

My Lord,

Government House, Cape Coast, October 24, 1874.

IN paragraph 6 of my despatch of the 19th of September,* I informed your Lordship that I had summoned the Kings and Chiefs of the Western Districts to meet me at Cape Coast on the 16th of the present month, and those of the Eastern Districts at Accra on the 5th of November.

2. Although, knowing the dilatory habits of the people of the Western Districts and, therefore, not expecting that they would arrive punctually, I named the 16th of October as the day upon which they should meet me, it was not my intention that so great an interval as that from the 16th of October to 5th of November should elapse between the meetings at Cape Coast and Accra.

3. I was glad, however, to find that my surmises as to want of punctuality were in a great measure incorrect, inasmuch as with two exceptions all the Kings and Chiefs reached Cape Coast on or before the 18th instant, but as the Kings and Chiefs of Eastern and Western Wassaw, who live at a greater distance than the others, have not yet arrived, probably in consequence of the state of the roads after the recent rains, I have postponed the general meeting up to the present time.

4. The interval, however, has not been thrown away, spent as it has been in seeing the Kings and Chiefs separately upon the requirements of their respective districts, and in feeling my way towards an announcement of the changes contemplated with regard to slavery.

5. Should the Wassaw Kings not arrive before the 27th instant, it is my intention, without waiting longer for them, to have a meeting of the other Kings and Chiefs on that day.

6. If the result of this meeting is satisfactory, I propose leaving this on the 4th proximo for Accra, so as to meet the Kings and Chiefs of the Eastern Districts on the 5th, despatching previously to Accra eighty men of the 1st West India Regiment and eighty Houssas, who, along with fifty Houssas from Lagos and thirty Fantee Police already at Accra, will form the defensive force at that place during the stay of the Kings and Chiefs.

7. The force at Cape Coast during this time will consist of 100 men of the 1st West India Regiment, and seventy of the armed Police, of whom forty will be Houssas.

8. As Captain Lees, when I was in consultation with him here on the subject of slavery, expressed a wish to be present at the proposed meeting at Accra, I have made arrangements for his being conveyed from Lagos to Accra along with the detachment of fifty Houssas above referred to about the 3rd or 4th proximo, by one of Her Majesty's gunvessels.

9. During Captain Lees' absence from Lagos, which is not likely to be beyond a fortnight, I have instructed Mr. Shaw, Acting Collector of Customs to act as Administrator.

I have, &c.
(Signed) GEO. C. STRAHAN, *Governor.*

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No. 9.

Governor Strahan to the Earl of Carnarvon.—(Received November 24, 1874.)

(Telegraphic.)

THE announcement that buying, selling, and pawning of persons is prohibited, and that the relations between master and servant, as existing in England, can alone be recognized or permitted to be enforced, has, this day, been satisfactorily received by the Kings and Chiefs of the Western Districts at Cape Coast.

No. 10.

Governor Strahan to the Earl of Carnarvon.—(Received November 25.)

(Telegraphic.)

Accra, November 5, 1874.

AN announcement similar to that made at Cape Coast on the 3rd instant has been made here, to the Kings and Chiefs of the Eastern Districts, with regard to slavery, and has been received in an equally satisfactory spirit; the result of both meetings is highly satisfactory.

No. 11.

Governor Strahan to the Earl of Carnarvon.—(Received December 3, 1874.)

My Lord,

Government House, Cape Coast, November 3, 1874.

REFERRING to my despatch of the 24th ultimo,* I have the honour to inform your Lordship that I forward by this mail the following message to be transmitted to your Lordship by telegraph from Madeira:—

“The announcement that buying, selling, and pawning of persons is prohibited, and that the relations between master and servant as existing in England can alone be recognized or be permitted to be enforced, has this day been satisfactorily received at Cape Coast by the Kings and Chiefs of the western districts.”

I consider that I cannot do better than forward to your Lordship the statement made to the Kings and Chiefs in the form in which it was given to the interpreter.

Your Lordship will observe that there is no attempt at composition, my object being to place the matter before the interpreter in such language as would be intelligible to him, without which it would, of course, be impossible for him to convey a correct idea to the native mind of what was intended.

At the conclusion of my statement the Kings and Chiefs consulted for a short time, and proposed to reply next day. I informed them that I could not comply with this request, but stated that I had no objection to leaving them alone to consult as to the nature of the reply which they might wish to convey to the Queen. I accordingly retired, and in about an hour afterwards they informed me that they were ready to make their reply, and on re-entering the Palaver hall a deputation representing the Kings and Chiefs came forward, and spoke in the name of the whole assembly as follows:—

“We have heard all that the Governor has said to us; we thank the Queen, and we thank the Governor. We know that the Queen loves us, and has done much good to us, and that the Queen would not desire us to do anything except what was for our good. We have talked over what has been told to us, and agree in what the Governor has said; and we will give up buying slaves.”—(Selling is not a practice with the tribes of the Protectorate, as I have stated in a former despatch.)—“We cannot do otherwise than as the Queen tells us; but we wish to ask what we are to do about the old pawns, and we put the question because many of us have lent money and received pawns. Again, with regard to those who live with us, they are as it were our families. Disagreements sometimes happen between us, yet the difference is talked over, and then we are at one again.”—(Implying that they had not thoroughly understood the course of the future relations between masters and servants.)

I explained that the situation of the old pawns would be similar to that of the

* No. 8.

domestic slaves; that it would be optional to the pawns to remain; and that it was in their own hands to secure their doing so; that the loss of the pawn did not imply the loss of the debts for which pawns had been taken, which remained equally valid and recoverable as before. As to the domestic slaves, I went over again the part of my statement on this branch of the subject, and explained to them that no forcible disruption of domestic arrangements was intended, and that it was for themselves to render the situation of their families so happy that there should not be any wish or need for separation.

After this explanation there were expressions of cordial desire to carry our Her Majesty's wishes, followed by enthusiastic cheers for the Queen.

The short interval which must elapse before I leave for Accra has not admitted of anything but a very brief account of this day's proceedings, but I can only say that the result has fully come up to the expectations I had formed.

I leave to-morrow morning for Accra, and as I intend, after the meeting held there, to visit Akropong, Croboe, and the Volta, I have given a letter of instructions to Mr. Chalmers to act as my deputy under the 16th section of the Charter during my absence.

I have, &c.
(Signed) GEO. C. STRAHAN, *Governor.*

Inclosure in No. 11.

I AM pleased to see the Kings and Chiefs.

Most of you are old allies of the Queen. Others of you have been allies of the Queen's friend, the King of the Netherlands.

In times past there have been disputes and disagreements between you. If I speak of this, it is to tell you that these disputes must cease for ever, and that all ill-feeling must be at an end.

You are now all one under the flag of the Queen of England.

The Queen has desired me to see you, and to tell you what are her wishes and the wishes of her people.

I will first speak of the events in your history from which has arisen the close relationship which now exists between Her Majesty and you.

Probably there are few of you who can remember, but all of you have heard and know from your forefathers how your country was troubled in the old times before Sir C. McCarthy came to the Gold Coast, when Osai Tutu Quamina made war upon you, how your armies were defeated, how your women and children were taken captives to Ashantee, how much gold you had to pay as tribute to the King.

You know also that Sir C. McCarthy was sent from England, you know how he pitied your condition, how he worked for you, gave you arms and captains, and led you on to fight with the Ashantees; and although he lost his life in fighting for you, it was through him that the Ashantees were defeated, and Osai Tutu Quamina was forced to make peace, and peace continued through all the rest of Osai Tutu's reign.

I need not speak much of the wars of Quacoe Duah's time, as these brought you no great trouble, although you had been in constant fear and anxiety lest the Ashantees should come to attack your own homes.

But at the beginning of last year the tribes of the Protectorate were invaded by an Ashantee army of 40,000 men, under the command of a General belonging to the King's family.

This army defeated and scattered the armies of the Protectorate, laid the country waste by fire and plunder. This army attempted also to attack the English forts on the coast. It was, of course, easy for the Queen's soldiers who were sent from England, and the soldiers who landed from the ships on the coast, to send the Ashantees back from the forts; but the whole of the Protectorate was at the mercy of the Ashantees as before, and you were helpless; even as your fathers were troubled by Osai Tutu Quamina, so were you, their sons, again troubled by Koffee Kallalli. Then the Queen sent one of her Generals with white officers and soldiers from England, and soldiers from the ships to deliver you from ruin.

The General went to attack the Ashantees on one side, and another Captain was sent to attack them on the other. The Queen's General and her Officers and soldiers and sailors fought your battles for you, sent the Ashantees out of your country, beat

them in three large battles, took Coomassie, set fire to it, and made the King agree to a Treaty of Peace.

You were in this way delivered from defeat and misery.

The Queen did this without assistance from you. She sent her ships and troops from England, and spent more gold than there is in Ashantee, Denkerah, Wassaw, and Akim ten times over to carry on the war. Some of her officers and soldiers lost their lives in battle, and some died from sickness.

Now, why do I tell you all these things? Is it to tell you that the Queen wishes you to pay back part of what she has spent for you? Is it to tell you that you must pay her for the freedom from the Ashantee yoke which she has secured for you? Is it to tell you that now she has done so much for you she can do no more, and you must now take care of yourselves? Is it to tell you that now you are once saved from danger you must not look to her any more to assist you? No; all she requires and expects is obedience on your part to her wishes and the wishes of her people in England.

In return for the benefits conferred on you, the Queen requires your willing assistance, as Kings and Chiefs of this country, in putting a stop to a thing which the Queen and her people abhor. It is against a law which no King or Queen who sits upon the throne of England can ever change.

I have pointed out to many of you since I came here, that the English people buy fowls, buy pigs, buy sheep, but they cannot buy or sell men, women, or children. The Queen is determined by every means in her power to put a stop at once to the buying and selling of men, women, and children, whether it is buying and selling slaves within the Protectorate, or bringing persons into the Protectorate to be sold, or sending persons out of the Protectorate to be sold, and she will not permit any man or woman or child to be given away in pawn for debt.

The Queen desires to make you as happy as her own people. This buying and selling and pawning of men, women, and children is wrong, and the Queen knows that any country where this is done cannot be happy.

The Queen does not desire to take any of your people from you—those who live with you, or work for you, and are part of your families. If they are happy and content to live with you as they do now, continuing to do for you what work is required of them and depending upon you for their maintenance and looking to you for other benefits, no change is forced upon them—no family need be broken up; but you must understand that any person who does not wish to continue to live with you in this way cannot be compelled to return to you by any Court, English or native.

The Queen hopes to help you in many ways, and desires to make you, as far as she can, as happy as her people in England or in any part of her dominions; and it is right that I tell you distinctly that if you desire the Queen's protection you must do as she tells you is good for you.

This is the Queen's message, and when the Queen speaks in this way, it is not a thing for doubt, hesitation, or palaver. The Queen expects to hear from you that you are ready to do as she has told you.

I will only say that, without the Queen's money, without the Queen's soldiers, you, Kings and Chiefs, would to-day have been the slaves of a blood-thirsty King. The Queen has paid a great price for your freedom.

You and those dear to you would have been dragged away to form a part of the unhappy thousands who are put to death by a cruel King.

Your homes would have been homes full of slavery.

I see you to-day in the enjoyment of peace and security, and I trust prepared to join me in the prayer—

God save the Queen!

No. 12.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, December 4, 1874.

I HAVE the honour to acknowledge the receipt of your despatch of the 3rd November,* reporting your meeting with the Kings and Chiefs of the Western District at Cape Coast, at which you informed them of the policy about to be adopted

* No. 11.

with respect to the buying, selling, and pawning of slaves and the institution of domestic slavery.

2. I fully approve the terms of your address, which appear to me to have been clear and well chosen, and I learn with much gratification that, after asking and receiving explanations on the subject of the future relations between slave and master, the Kings and Chiefs expressed themselves entirely satisfied.

3. The report of the proceedings furnished to the press, a copy of which I inclose for your information, differed in one material point from your account, and made it to appear that after hearing objections you had consented that no slave could leave his master or mistress unless there was proof of cruelty or maltreatment.

4. Some misapprehension has consequently arisen as to the course taken by you, and as that reported in the press would have been entirely opposed to what has been contemplated, and, indeed, to what your recent telegram as well as your despatch now before me lead me to conclude that you have done, I have not hesitated to assume that I am right in understanding your action to have been in accordance with the inclosed Memorandum, which I have thought it right to make public for the information of those numerous persons in this country who are watching with interest the policy which you appear to have commenced with so much ability and success.

I have, &c.
(Signed) CARNARVON.

Inclosure 1 in No. 12.

Extract from the "Daily Telegraph" of December 3, 1874.

SLAVERY ON THE WEST COAST OF AFRICA.

MESSAGE FROM THE QUEEN.

Cape Coast Castle, November 7.

A MEETING of all the Kings and Chiefs of the western and central positions of the Gold Coast was held at the Castle of Cape Coast, in the Palaver Hall, on the 3rd of November, 1874, when his Excellency Governor Strahan spoke as follows:—

"Kings and Chiefs,—I am pleased to meet you. Most of you present have been old allies of the Queen, and some were allies of His Majesty the King of the Netherlands. In times past there were disputes between you. If I speak of those it is to tell you that all these disputes must cease for ever, and be at an end. Now all of you are under one flag—the flag of England. The Queen desires me to inform you of her wishes and those of her people in England; but before doing so I will first speak of what has transpired in your history, and which has brought about the relations at present existing between you and her Government. Few of you probably can remember how your country was disturbed by Ashantee before Sir Charles M'Carthy's time. King Osai Tootoo Quamina made war on you; your armies were defeated, your women and children taken captive to Ashantee, and you had to pay much gold as tribute. You know that then Sir Charles M'Carthy was sent from England; you also know how he pitied your condition, and gave you arms and ammunition, and supported you in every conceivable manner; yet though he lost his life, in the end the Ashantees were defeated, and were forced to retire from your country, and Osai Tootoo Quamina was forced to make peace, and you had peace during the remaining years of his reign. I will not say much of what occurred during Quacoo Duah's reign, though you still stood in fear of Ashantee and its might. But at the beginning of last year an army of 40,000 Ashantees invaded your country, under a general who was a member of the Royal Family. This army defeated and scattered your forces, and devastated the country around with fire and with sword. This army attempted to attack the English forts on the coast. Of course it would have been easy for Her Majesty's land and sea forces here to have driven back the enemy, but your country would have still been at their mercy. As your forefathers were scattered and troubled by the Ashantees, so were you by Coffee Kallali. Then the Queen sent out a General with officers and an army composed of some of her land and sea forces to deliver you from ruin. The General attacked Ashantee on one side, and another Captain on the other. The Queen's General and army fought your battles for you. This force drove the enemy out of your country, followed them into theirs, beat them in three large battles, took Coomassie and burnt it, and forced the King to sign a Treaty. In this way you were relieved from

defeat and misery. The Queen accomplished all this without your assistance. Her Majesty sent out these men in ships from England at a cost ten times greater than all the gold there is in Ashantee, Akim, and Wassaw. Some of these officers and men died in battle, and others from disease. Now, why do I tell you all this? Is it to tell you that the Queen wants you to pay back any portion of the money she has expended for you? Is it to tell you that you must pay for your freedom from Ashantee? Is it to tell you that as she has done so much for you, you must do what you can for yourselves, as she can do no more? Is it to tell you that as she has saved you from your late danger you are to expect no farther protection from her? No. All she requires and expects from you is obedience to her wishes and those of her people in England. In return for these benefits the Queen requests your aid in putting an end to a thing she and her people abhor. This thing is against a law which no King or Queen of England can ever change. I have pointed out to some of you that the English people buy sheep, fowls, and other live stock, but not men, women, and children. The Queen is determined to put a stop at once to the buying and selling of slaves, either within or without the Protectorate, in any shape, degree, or form, and she will allow no person to be taken as a pawn for debt. (This last passage was repeated, with considerable emphasis.) The Queen desires to make you as happy as her own people. This buying, selling, and pawning of men and women and children is wrong, and no country where it exists can be happy. The Queen does not desire to take any of your people from you; those of them who like to work for, and with, and to assist you, can remain with you. If they are happy, and continue to live with you on the same terms as now, no change will be forced upon you; but any person who does not desire to live with you on those terms can leave, and will not be compelled by any Court, British or native, to return to you. The Queen hopes to make you happy in many ways—as happy as those in her other dominions. It is right that I should tell you distinctly that if you desire her protection you must do as she wishes—as she orders. This is the Queen's message. When the Queen speaks in this way it is not a matter for palaver, question, hesitation, or doubt, but she expects obedience and assent. I will only say that, without the Queen's money and troops, you would have been slaves of a blood-thirsty people. The Queen has paid a great price for your freedom. You, and those near and dear to you, would have been dragged hence to form a portion of the thousands who are decapitated and sacrificed by this savage race for their customs. Your homes would have been homes full of misery. I see you to-day enjoying peace, and I call on you all to join with me in the prayer, 'God save the Queen.' My message is delivered."

The Governor ceased speaking, and for a short time the Chiefs were consulting among themselves what answer to give. At last King Edo, of Mankessim, solicited permission from his Excellency to retire till the next day, so that they (the Kings) might consult together as to the answer they could give. This, however, the Governor refused, and referred them to that portion of his speech or message wherein he had stated that, when the Queen expressed her wishes, it remained only for them to obey; but, if they wished it, he would retire for a short time, and leave them to their deliberations. His Excellency then left the Palaver Hall, and upon his return in about one hour the Kings and Chiefs informed him that they were willing to cease from buying or selling slaves, but raised objection to the slaves being permitted to go free if they chose without there being any cause shown, and likewise to pawns not being allowed. After some discussion, it was decided that no slave could leave his or her master or mistress unless there was proof of cruelty or maltreatment, when such slave would be entitled to his or her freedom; and the question of pawns was settled by the debtor being held liable for the amount that the pawn had been given as security for, and that the amount should be recovered on the pawn leaving. This concluded the meeting in the Castle; but his Excellency invited all the Kings and Chiefs to go over to Government House to drink long life to Her Majesty.

Governor Strahan left for Accra on the 5th, in the gunboat "Ariel."

Messengers from King Kokofoo support the rumour that King Coffee is deposed, and has retired to the villages beyond Coomassie. Quacoo Duah is proposed as his successor.

Inclosure 2 in No. 12.

Extract from the "Times" of December 5, 1874.

SLAVERY ON THE GOLD COAST.

WE have received the following statement from the Colonial Office :—

“ Lord Carnarvon, with a view to prevent any misapprehension of the precise position of the measures now being adopted for the abolition of slavery on the Gold Coast, thinks it right that it should be known that, according to Governor Strahan’s Report of the last mail, the Kings and Chiefs, after asking and receiving explanations, were fully satisfied with the announcement that any slave who may not wish to continue to live with his master shall not hereafter be compelled to return to him by any Court, English or native.

“ It is therefore unnecessary that cruelty or any other cause should be established ; and Lord Carnarvon entertains no doubt that, under this declaration, slaves will be entirely free to stay with or to leave their masters, and that any attempt to interfere with this freedom will be effectively punished.

“ The proceedings, however, now reported must be looked upon as the first step of a policy which must of necessity be gradual in its development.”

No. 13.

Governor Strahan to the Earl of Carnarvon.—(Received December 12.)

My Lord,

Government House, Accra, November 7, 1874.

IN continuation of my despatch of the 3rd instant,* I have the honour to inform your Lordship that I left Cape Coast for this place in Her Majesty’s ship “ Ariel ” on the morning of the 4th instant, taking with me 40 Houssas whom I placed in charge of Dr. Gouldsbury, and arrived here on the afternoon of that day.

2. Here I met Captain Lees who had arrived the previous evening in Her Majesty’s ship “ Foam ” with 50 Houssas from Lagos and Lieutenant Moloney, 1st West India Regiment, who arrived here on the morning of the 1st instant from Cape Coast with 80 West Indian soldiers.

3. As I found on arrival that all the Kings and Chiefs had either arrived at Accra or were known to be within a very short distance of it, I arranged for a meeting at noon of next day, the 5th, when I made a statement almost identical with that made to the Kings and Chiefs of the Western districts ; it being necessary to adapt it in certain particulars to the different position of the tribes of the eastern districts from that in which the Fantees were placed in the late invasion, and it being desirable, in my opinion, to embody a paragraph with reference to pawns, which was in substance the reply to the question which was put to me on the subject at the meeting held at Cape Coast as reported in my despatch above referred to.

4. I was further in a position to add a paragraph informing them of the loyal concurrence in the Queen’s wishes which had been expressed by the Kings and Chiefs of the western districts.

5. I forward to your Lordship the statement made here *verbatim* as I read it to the interpreters.

6. At the conclusion of my statement they asked leave to consult together, when I replied that I would retire for a time and return to hear what they had to say.

7. In less than half an hour I was informed that they were ready. On re-entering the Hall the King of Accra, who is the acknowledged head of the tribes of the eastern districts, came forward and expressed, on behalf of himself and the other Kings and Chiefs, their readiness to do as the Queen told them.

8. Gesture and manner enter largely into native palaver, and these certainly indicated that what was conveyed through the interpreter was a true exposition of their feelings.

9. I then called for three cheers for the Queen, which were enthusiastically given.

10. After this, as I was desirous of impressing on the minds of those present that the question of slavery was the all-important one upon which I had come to see them, I

* No. 11.

confined myself to saying only a few words on the subject of trade and roads, and to informing them of my intended visit to the interior.

11. The proceedings of the meeting being over, the several Kings and Chiefs were presented to me, and I propose to remain here a few days for the purpose of receiving them separately.

12. The question of slavery is thus settled, as all that is now required is to pass the necessary Ordinances and to punish promptly and firmly any attempt in individual cases to enforce servitude.

13. It is with much pleasure that I have to bring to your Lordship's notice the loyal co-operation which, in considering this important question, I received from Captain Lees, Mr. Chalmers, and Dr. Gouldsbury.

14. Had it not been for the assistance which I received from these officers, than whom none are better acquainted with the habits and feelings of the natives of the Gold Coast, and for the confidence which I placed in their experience and judgment, I could not have approached the subject of emancipation with that degree of confidence as to the result, which would have justified me in undertaking the prompt solution of the question.

15. The value of Mr. Chalmers' services I cannot over estimate, Mr. Chalmers' ability is too well known to your Lordship to require any notice from me, but I desire to record my high appreciation of the cordiality of his co-operation, which, combined with his energy and knowledge of native character, enabled me to deal with this question while the recollection of the late invasion by the Ashantees was still fresh in the minds of the people, and while they still appreciated how much they owed to England.

16. I desire also to bring specially to your Lordship's notice the services of Lieutenant Moloney, 1st West India regiment, the Officer commanding the troops on the Gold Coast, to whom I am much indebted for the spirit in which he entered into my views, during the recent proceedings, and for the admirable manner in which he carried out the precautionary measures which I deemed advisable.

17. My thanks are due to Lieutenant-Commander Walker, R.N., commanding Her Majesty's ship "Foam," and Lieutenant-Commander Churchill, commanding Her Majesty's ship "Ariel," for their cordial co-operation.

18. I cannot close this despatch without informing your Lordship of the assistance which I have received from the Superintendent and members of the Basle Mission, in placing at my disposal the services of competent interpreters.

I have, &c.

(Signed) GEO. C STRAHAN, *Governor.*

Inclosure in No. 13.

I AM pleased to see the Kings and Chiefs.

The Queen has desired me to see you, and to tell you what are Her wishes and the wishes of Her people.

I will first speak of the events in your history from which has arisen the close relationship which now exists between Her Majesty and you.

Probably there are few of you who can remember, but all of you have heard and know, from your forefathers, how your country was troubled in the old times before Sir C. McCarthy came to the Gold Coast; when King Osai Tutu Quamina made war upon you.

You know also that the Queen sent to you officers from England—you know how they worked for you—gave you arms and Captains, and led you on to fight with the Ashantees. It was through them that the Ashantees were defeated, and Osai Tutu Quamina was forced to make peace; and peace continued through all the rest of Osai Tutu's reign.

I need not speak much of the wars of Quacoe Duah's time, as these brought you no great trouble, although you have been in constant fear and anxiety lest the Ashantees should come to attack your own homes.

But at the beginning of last year the tribes of the Protectorate were invaded by an Ashantee army of 40,000 men, under the command of a General belonging to the King's family.

This army defeated and scattered the armies of that part of the Protectorate which was invaded; laid the country waste by fire and plunder. This army attempted also to attack the English forts on the Coast. It was of course easy for the Queen's soldiers,

who were sent from England, and the soldiers who landed from the ships on the Coast to send the Ashantees back from the forts. But the whole of the Protectorate would have been at the mercy of the Ashantees as before, and you would have been helpless; even as your fathers were troubled by Osai Tutu Quamina, so were you, their sons, again troubled by Koffee Kallali. Then the Queen sent one of Her Generals, with officers and soldiers from England, and soldiers from the ships, to deliver you from ruin.

The General went to attack the Ashantees on one side, and another Captain was sent to attack them on the other. The Queen's General and her officers and soldiers and sailors fought your battles for you; sent the Ashantees out of the Protectorate, beat them in three large battles, took Coomassie, set fire to it, and made the King agree to a Treaty of Peace.

You were in this way delivered from defeat and misery.

The Queen did this without assistance from you; she sent her ships and troops from England, and spent more gold than there is in Ashantee, Denkera, Wassaw, and Akim ten times over, to carry on the war. Some of her officers and soldiers lost their lives in battle, and some died from sickness.

You know that the misery which would have come to the Fantees had the Ashantees not been repulsed by British soldiers would have come to you.

Now, why do I tell you all these things? Is it to tell you that the Queen wishes you to pay back part of what she has spent for you? Is it to tell you that you must pay her for the freedom from the Ashantee yoke which she has secured for you? Is it to tell you that, now she has done so much for you, she can do no more and you must now take care of yourselves? Is it to tell you that, now you are once saved from danger, you must not look to her any more to assist you?

No. All she requires and expects is obedience on your part to her wishes and the wishes of her people in England.

In return for the benefits conferred on you, the Queen requires your willing assistance as Kings and Chiefs of this country, in putting a stop to a thing which the Queen and her people abhor. It is against a law which no King or Queen who sits upon the throne of England can ever change.

The English people buy fowls, buy pigs, buy sheep, but they cannot buy or sell men, women, or children. The Queen is determined, by every means in her power, to put a stop at once to the buying and selling of men, women, and children, whether it be buying and selling slaves within the Protectorate, or bringing persons into the Protectorate to be sold, or sending persons out of the Protectorate to be sold; and she will not permit any man, or woman, or child to be given away in pawn for debt.

The Queen desires to make you as happy as her own people. This buying and selling and pawning of men, women, and children is wrong, and the Queen knows that any country where this is done cannot be happy.

The Queen does not desire to take any of your people from you, those who live with you or work for you, and are part of your families. If they are happy and content to live with you as they do now, continuing to do for you what work is required of them, and depending upon you for their maintenance, and looking to you for other benefits, no change is forced upon them, no family need be broken up; but you must understand that any person who does not wish to continue to live with you in this way cannot be compelled to return to you by any Court, English or native.

With reference to pawns whom you may now hold, they will be in the same position as others of your people. They will be free to leave you if they wish to do so, but the loss of the pawn does not involve the loss of the debt. The debt itself is valid and recoverable.

The Queen hopes to help you in many ways, and desires to make you, as far as she can, as happy as her people in England, or in any part of her dominions; and it is right that I tell you distinctly that, if you desire the Queen's protection, you must do as she tells you is good for you.

This is the Queen's message; and when the Queen speaks in this way it is not a thing for doubt, hesitation, or palaver. The Queen expects to hear from you that you are ready to do as she has told you.

I have already given this message to all the Kings and Chiefs of the western districts and I am happy to say that they have given a ready, willing, and loyal concurrence with the Queen's wishes, and I have already sent to the Queen their message. I expect from you the same.

I will only say that, without the Queen's money, without the Queen's soldiers, you, Kings and Chiefs, would to-day have been the slaves of a bloodthirsty King. The Queen has paid a great price for your freedom.

You, and those dear to you, would have been dragged away to form a part of the unhappy thousands who are put to death by a cruel King.

Your homes would have been homes full of misery.

I see you to-day in the enjoyment of peace and security, and, I trust, prepared to join me in the prayer—

God save the Queen!

No. 14.

Governor Strahan to the Earl of Carnarvon.—(Received December 17.)

My Lord,

Government House, Cape Coast, November 21, 1874.

WITH reference to the recent changes which have taken place in the former relations of masters and slaves, it may be satisfactory to your Lordship to learn that the state of the community continues to be perfectly tranquil. The Kings and Chiefs of the Western Districts, who were recently assembled at Cape Coast, have returned to their homes, accepting the new state of things without hesitation.

A few instances have occurred of persons seeking their freedom against adverse claims of their masters. These have been promptly and easily dealt with.

Matters in the Eastern Districts, I am also able to report, are in a quite satisfactory condition.

I have, &c.
(Signed) D. P. CHALMERS,
Deputy for Governor.

No. 15.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, December 24, 1874.

I HAVE the honour to acknowledge the receipt of your despatch of the 7th of November,* forwarding a copy of your speech to the Kings and Chiefs of the Eastern Districts on the subject of slavery, and reporting the satisfactory manner in which that speech was then received.

2. The question of slavery on the Gold Coast has for many years been a fertile cause of difficulty and reproach to the Government of Great Britain, and, in conveying to you Her Majesty's gracious approval of your proceedings, I desire to express my hearty appreciation of the discretion, no less than of the ability and vigour, with which you have initiated the measures necessary to carry out this great reform. I trust, indeed, that the principal difficulties and risks incident to this great social change may be considered to be now at an end, but I think it right to remind you that in working out these measures in their full details, and in giving such effect to the legislation in view as will bring it home to the natives of the Gold Coast in all its beneficent and humanizing tendencies, the exercise of an untiring prudence and watchfulness will long be necessary. I have every confidence that a work so well begun will be carried through with equal judgment and success.

3. Her Majesty's Government are fully sensible of the able and valuable assistance which you have received from Captain Lees, Mr. Chalmers, and Dr. Gouldsbury, and to which you bear testimony.

4. I have no further instructions to convey to you on the subject of the Slavery Ordinances beyond those contained in my despatch of the 29th of October.† I shall await with interest the receipt of those Ordinances when finally enacted by your Legislative Council.

5. I have caused to be communicated to Mr. Secretary Hardy and the Lords Commissioners of the Admiralty your acknowledgments of the aid which you derived from the co-operation of Lieutenant Moloney and Lieutenant-Commanders Walker and Churchill, together with an expression of my own appreciation of their services.

I have, &c.
(Signed) CARNARVON.

* No. 13.

† No. 7.

Governor Strahan to the Earl of Carnarvon.—(Received December 28.)

My Lord,

Government House, Cape Coast, November 27, 1874.

REFERRING to your Lordship's despatch of the 28th ultimo,* on the subject of my proposal for the abolition of slave dealing and of slavery, I beg first to thank your Lordship for the expressions of confidence, in which you have committed in so large a measure to my judgment the solution of the question of emancipation throughout Her Majesty's Protectorate on the Gold Coast, and for the cordial support of which I have your assurance.

Your Lordship will have already learned, from my telegrams of the 3rd and 5th instant, and more fully from my despatches of the 3rd and 7th instant,† the satisfactory results of my meetings with the Kings and Chiefs, both of the Western and Eastern Districts of the Protectorate.

In adopting the course of announcing at one and the same time the immediate abolition of slave dealing and of the far more cherished institution of domestic slavery, in was not, as your Lordship will readily understand, without a sense of grave responsibility, that I resolved upon a mode of action which, if it had not been as successful as it has proved, might have interposed difficulties in afterwards approaching the subject. But on a comprehensive estimate of all the materials for decision which presented themselves, I was convinced that it was the one method by which alone this important question could be effectually dealt with, and I felt that so many elements of success were involved in an immediate and complete grappling with the subject in its entirety that I did not hesitate to act in the matter as reported in the despatches above quoted.

I do not intend to trouble your Lordship with any recapitulation of the precautions which were taken against the possibility of failure, or of the many details of arrangement to which I had to give my attention.

Dangers and difficulties are, I am glad to think, now happily surmounted, and it only now remains, by prompt and firm punishment of attempts in individual cases to enforce servitude, to make good the footing which has been obtained in the cause of freedom and humanity.

I may mention that since the promulgation of the scheme several instances have come before Mr. Chalmers, while acting as my deputy, and before myself, in which the right of freedom was asserted on the one hand and readily acquiesced in on the other. These instances are sufficient to show that the change which has taken place in the relations between masters and servants is understood amongst the people, and that it is accepted by the masters.

I intend assembling the Legislative Council on the 30th instant, and enacting the Ordinances for giving legal form to the abolition of slavery.

I have, &c.

(Signed) GEO. C. STRAHAN, *Governor.*

Governor Strahan to the Earl of Carnarvon.—(Received December 28.)

My Lord,

Government House, Cape Coast, November 28, 1874.

REFERRING to the last paragraph of my despatch of the 3rd instant,‡ informing your Lordship that I proposed, after the meeting of the Kings and Chiefs of the Eastern District at Accra, to visit Akropong, Eastern Croboe, and the Volta, I have the honour to inform your Lordship that, the meeting having taken place on the 5th, I left Accra on the 12th instant, and visited Abokobi, Abude, Akropong, Odumassie, striking the Volta at Kpong, whence I proceeded down the river to Addah, and, embarking at the mouth of the Volta on board Her Majesty's ship "Foam," on the 25th instant, arrived here on the afternoon of that day.

It will be my duty to address your Lordship at an early date (I hope by next mail) on several important questions upon which, until now, I have neither had the time nor the information necessary to enable me to report.

I have, &c.

(Signed) GEO. C. STRAHAN, *Governor.*

* No. 6.

† Nos. 11 and 13.

‡ No. 11.

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No. 18.

*Colonial Office to Admiralty.**

Sir, *Downing Street, December 30, 1874.*
 IN laying before the Lords Commissioners of the Admiralty the accompanying copy of a despatch from the Governor of the Gold Coast† on the subject of the emancipation of the slave population, I am directed by the Earl of Carnarvon to request that you will draw their attention to the 17th paragraph, in which Captain Strahan expresses his appreciation of the assistance which he derived from the presence and co-operation of Lieutenant-Commanders Walker and Churchill. I am to add that Lord Carnarvon fully concurs with Captain Strahan in his estimate of the services of these gentlemen on the occasion.

I am, &c.
 (Signed) R. H. MEADE.

No. 19.

Governor Strahan to the Earl of Carnarvon.—(Received January 14, 1875.)

(Telegraphic.) *Government House, Cape Coast, December 27, 1874.*
 THE statement in the closing part of Reuter's report of the meeting of Kings and Chiefs at Cape Coast Castle, that it was decided that no slave could leave his master unless there was proof of cruelty or maltreatment, is wholly erroneous. The final result precisely corresponded with what is set forth in my statement, namely, that every slave was free, and might assert his freedom by leaving his master if he chose, without assigning cause, although the Government did not intend to compel any one to leave who was happy and content to remain with his master.

The statement regarding pawns is also incorrect. The Chiefs made inquiry whether the right to recover outstanding debts where a pawn had been given in security was lost by reason of the freedom of the pawns. It was explained to them that, although the pawns were at once free, the debt was recoverable as before. Subsequent events have proved that the above was thoroughly understood by all classes.

(Signed) GEO. C. STRAHAN, *Governor.*

No. 20.

Governor Strahan to the Earl of Carnarvon.—(Received January 21, 1875.)

My Lord, *Government House, Cape Coast, December 27, 1874.*
 I HAVE the honour to inform your Lordship that I have forwarded the following telegram in reply to your Lordship's despatch of the 4th instant‡ :—

“The statement in the closing part of Reuter's report of the meeting of Kings and Chiefs of Cape Coast Castle, that it was decided that no slave could leave his master unless there was proof of cruelty or maltreatment, is wholly erroneous. The final result precisely corresponded with what is set forth in my statement, namely, that every slave was free, and might assert his freedom by leaving his master if he chose, without assigning cause, although the Government did not intend to compel any one to leave who was happy and content to remain with his master.

“The statement regarding pawns is also incorrect. The Chiefs made inquiry whether the right to recover outstanding debts where a pawn had been given in security was lost by reason of the freedom of the pawns. It was explained to them that, although the pawns were at once free, the debt was recoverable as before.

“Subsequent events have proved that the above was thoroughly understood by all classes.”

2. From my despatch of the 3rd November,§ in which I communicated to your Lordship an almost verbatim account (taken down by Mr. Chalmers immediately after the meeting, and corroborated a few hours afterwards by the recollection of myself and two others who were present) of what took place between me and the Kings and Chiefs after they had consulted together, your Lordship will have observed that no such question as that of cruelty on the part of the masters being a necessary condition to the freedom of any slave was ever raised, and I can assure your Lordship that the final result

* A similar letter was sent to the War Office respecting the services of Lieutenant Molony, 1st West Indian Regiment.

† No. 13.

‡ No. 12.

§ No. 11.

of the meeting in no way varied from what I had stated to the Kings and Chiefs in addressing them.

3. I informed them, in answer to the question which they put in regard to their domestic slaves, that whilst it was not intended to force any who had been slaves to leave their masters' family who were happy and content to remain, yet that such of them as desired to leave their former masters were at liberty to do so at once or at any time, and that no coercion whatever would be allowed to enforce any claims to servitude.

4. This was thoroughly understood and acquiesced in by the Kings and Chiefs.

5. The statement in the telegram, "the question of pawns was settled by the debtor being held liable for the amount that the pawn had been given as security for, and that the amount should be recovered on the pawn leaving," is also incorrect, although here the error is not of such vital importance as with regard to the condition of the slaves.

6. The fact as it appeared was, that those of the Chiefs who had made loans and taken pawns as security had some misgivings as to the future validity of these debts on the pawns becoming free, and hence, I believe, arose the question put by them as reported in my previous despatch. I explained to them, not that the debt would become recoverable on the pawn leaving, as it is put in the Report, but that whilst the pawns equally with all other persons held in servitude became at once free to go or remain as they chose, the creditor's right to recover the debts in respect of which these pawns had been taken was unaffected by the freedom of the latter. There was a general manifestation of satisfaction on this explanation being given.

7. As illustrating the insufficiency of the data on which Reuter's Report was drawn up, I may mention that I learn from the Agent who transmitted it that he left the meeting immediately on the conclusion of my statement to the Kings and Chiefs and was not afterwards present, and that he derived his account of the incidents which took place after the consultation from the editor of a local newspaper, who also was not present.

8. Although I in no way mean to imply that the erroneous representations of Reuter's Report take their origin in what I am about to state, I may nevertheless inform your Lordship that I am aware that there are persons who, from interested motives, desire that the slave should not come to the full knowledge of the thorough nature of his freedom, and who would not be slow to disseminate the report that only in cases of cruelty or maltreatment would the slave be entitled to his freedom.

9. A most conclusive contradiction, however, of all erroneous representations is afforded in connection with the instances, which have occurred since the meeting, of persons claiming their freedom, coupled with the acquiescence of their former owners. In these cases, which are now somewhat numerous, there has not been a single example in which liberty has been asserted on the ground of maltreatment or cruelty, but on the contrary, it has been asserted and conceded simply in virtue of the new law on the subject, which is understood alike by those who were masters and by those who were slaves to have been instituted by Her Majesty's authority.

I have, &c.

(Signed) GEO. C. STRAHAN

No. 21.

Governor Strahan to the Earl of Carnarvon.—(Received January 21, 1875.)

(Extract.)

Government House, Cape Coast, December 28, 1874.

REFERRING to the last paragraph of my despatch of the 27th ultimo,* in which I informed your Lordship that it was my intention to assemble the Legislative Council on the 30th ultimo to enact the Ordinances for giving legal form to the abolition of slavery, I regret that an attack of illness has prevented me from giving my assent to the Ordinances until this day.

Certified copies of these Ordinances, viz., one entitled an "Ordinance for the Abolition of Slave-dealing," and the other an "Ordinance to provide for the Emancipation of Persons holden in Slavery," are herewith forwarded, together with the opinion of the Queen's Advocate thereon, and the Proclamation relative to their provisions.

Mr. Chalmers' Report, together with his letter of the 18th of September, forwarded in my despatch of the 19th September,† so fully explains the several clauses of the Ordinances, that it is unnecessary that I should make any further comments upon them.

* No. 16.

† No. 5.

I may mention, however, that, although the 5th section of the second Ordinance, when first brought before the Council, was considered superfluous, and, for the reasons stated in Mr. Chalmers' Report, possibly undesirable; yet, on reconsideration, and with the view of disarming adverse criticism in regard to the thoroughness of the measure, I proposed to the Council that the section should be retained, the reasons in favour of its forming part of the Ordinances appearing to outweigh any which might be suggested for omitting it.

I have considered it expedient to bring the Ordinances into immediate operation, being of opinion that as short an interval as possible should elapse during which statutory penalties could not be imposed for instances of slave-dealing or of coercive measures to enforce servitude, inasmuch as, on the prompt punishment of the early cases, should any such occur, much of the success of the scheme must depend.

Inclosure 1 in No. 21.

No. 1, 1874.—GOLD COAST COLONY.

In the thirty-eighth year of the reign of Her Majesty Queen Victoria.

(L.S.) Captain GEORGE CUMINE STRAHAN, *Governor*.

[December 17, 1874.]

At a Legislative Council held at Cape Coast Castle on the seventeenth day of December, in the year of Our Lord one thousand eight hundred and seventy-four.

An Ordinance to provide for the Abolition of Slave Dealing.

	Title.
WHEREAS it is expedient that effectual measures should be taken for abolishing slave dealing;	Preamble.
Be it, therefore, enacted by the Governor of the Gold Coast Colony, by and with the advice and consent of the Legislative Council thereof, as follows, viz:—	Enactment.
I. This Ordinance shall come into operation upon its being passed by the Legislative Council and assented to by the Governor, and thereupon shall extend and apply to the Gold Coast Colony and the protected territories.	Commencement and application of Ordinance.
II. In this Ordinance the term "protected territories" shall mean the countries or territories on the West Coast of Africa, near or adjacent to the Settlement on the Gold Coast wherein the Queen's Majesty has acquired, or may hereafter acquire, powers and jurisdiction.	Signification of terms.
III. Slave-dealing is hereby declared unlawful and is prohibited.	Slave-dealing prohibited.
IV. Whosoever shall do, or shall attempt to do, any of the acts hereinafter mentioned, that is to say,	Offence of slave-dealing defined.
(1.) Deal or trade in purchase, sell, barter, transfer, or take any slave;	
(2.) Deal or trade in purchase, sell, barter, transfer, or take any person in order, or so that such person should be held or treated as a slave;	
(3.) Place or receive any person in servitude as a pledge or security for debt whether then due and owing, or to be incurred or contingent, whether under the name of a pawn, or by whatever other name such person may be called or known;	
(4.) Convey or induce any person to come within the limits of the protected territories in order, or so that such person shall be dealt or traded in, purchased, sold, bartered, transferred, or become a slave, or be placed in servitude as a pledge or security for debt;	
(5.) Convey or send, or induce, any person to go out of the limits of the protected territories in order, or so, that such person should be dealt or traded in, purchased, sold, bartered, transferred, or become a slave, or be placed in servitude as a pledge or security for debt;	
(6.) Enter into any contract or agreement with or without consideration for doing any of the acts, or accomplishing any of the purposes hereinabove enumerated;	

shall, and shall be deemed to have committed the offence of slave-dealing.

V. Whosoever shall aid, assist, counsel, request, order or procure any person to commit the offence of slave-dealing shall be deemed and be guilty of slave-dealing, and may be tried and convicted either as an accessory before the fact to the principal offence, or after the conviction of the principal offender, or may be indicted and convicted of the substantive offence, whether the principal offender shall or shall not have been previously convicted, or shall or shall not be amenable to justice.

VI. Every offence of slave-dealing may be inquired of, tried determined, and dealt with, by any court having within the Gold Coast Colony, or the protected territories, competent jurisdiction to try crimes and offences: declaring that the term Court for the purposes of this Ordinance shall include the courts of such native Kings and Chiefs only as the Governor may by his Commission authorise, either specially to try the offence of slave-dealing, or generally to try crimes and offences.

VII. Whosoever shall be convicted of slave-dealing shall be liable to be punished by imprisonment with or without hard labour for a period which may extend to seven years, and shall also be liable to be fined, either in addition to, or in substitution for such imprisonment; and where any fine shall have been imposed, such fine shall be recoverable by distress and sale of the goods and chattels of the party convicted, and in default of sufficient distress, or without proceeding by distress in case the court pronouncing sentence shall so order by imprisonment with or without hard labour for any term not exceeding two years, unless such fine shall be sooner paid.

VIII. Every person who as a slave or otherwise shall be brought, or induced to come, within the Gold Coast Colony or protected territories so, or in order, that such person should be dealt or traded in, sold, purchased, bartered, transferred, or taken, or should become or be a slave, or be placed in servitude, or transferred as a pledge or security for debt shall become and be, and is hereby declared to be, a free person.

IX. Every present contract in which it is stipulated or agreed that any person shall be brought or sold, or placed in servitude, or be transferred either as a pledge or security for debt, or in any other way, shall so far as regards any such stipulation or agreement, be and is hereby declared to be wholly, and in every particular, null and void, and every future contract which shall contain any such stipulation or agreement shall be absolutely illegal.

X. This Ordinance shall be sufficiently cited for all purposes as the "Gold Coast Slave-Dealing abolition Ordinance 1874."

Passed in the Legislative Council this seventeenth day of December, in the year of Our Lord one thousand eight hundred and seventy-four.

(Signed) ALFRED MOLONEY,
Clerk of Legislative Council.

I assent to this Ordinance in Her Majesty's name.

(Signed) GEO. C. STRAHAN, *Governor.*

Inclosure 2 in No. 21.

No. 2, 1874.—GOLD COAST COLONY.

In the thirty-eighth year of the reign of Her Majesty Queen Victoria.

(L.S.) Captain GEORGE CUMINE STRAHAN, *Governor.*

[December 17, 1874.]

At a Legislative Council held at Cape Coast Castle, on the seventeenth day of December, in the year of Our Lord one thousand eight hundred and seventy-four.

An Ordinance to provide for the Emancipation of persons holden in Slavery.

WHEREAS divers persons under the native laws of the protected territories on the Gold Coast are or may be holden in slavery, and it is just and expedient to provide for the emancipation of all such persons.

Be it therefore enacted by the Governor of the Gold Coast Colony, by and with the advice and consent of the Legislative Council thereof, as follows, viz. :—

I. This Ordinance shall come into operation upon its being passed by the Legislative Council and assented to by the Governor, and thereupon shall extend and apply to the Gold Coast Colony and the protected territories.

Accessories to be deemed guilty of principal offence. May be tried with principal offender or separately.

Courts in which offences may be tried.

Punishment conviction.

Persons brought into the Protectorate for slave-dealing purposes to be *ipso facto* free.

Slave dealing contracts void.

Short title.

Title.

Preamble.

Enactment.

Commencement and application of Ordinance.

II. In this Ordinance the term "protected territories" shall mean the countries or territories on the West Coast of Africa, near or adjacent to the Settlement on the Gold Coast, wherein the Queen's Majesty has acquired, or may hereafter acquire, powers and jurisdiction.

Signification of terms.

III. All persons who after the 5th day of November, of the year 1874, shall have been or shall be born within the limits to which this Ordinance applies, who under the native laws of the protected territories are, or may be liable to be holden, or but for this Ordinance would or might be, or be liable to be holden in slavery are, and shall be, and are hereby declared free persons to all intents and purposes: but providing that, except in so far as is inconsistent with this Ordinance and with the "Gold Coast slave-dealing abolition Ordinance, 1874," nothing herein contained shall be construed to diminish or derogate from the rights and obligations of parents and of children, or from other rights and obligations, not being repugnant to the law of England, arising out of the family and tribal relations customarily used and observed in the protected territories.

Persons born after 5th November, 1874, declared free proviso.

IV. If at any time after this Ordinance shall have come into operation any claim or alleged right over or affecting the liberty of any person shall be made, stated, or brought into controversy, or shall arise, or come in question, whether as a ground or cause of action or by way of plea, answer, demurrer, or defence of, in, or to any suit, action, cause, indictment, information, prosecution, or proceeding, or in any other manner of way whatsoever, then and in every such case, such claim or alleged right shall be deemed and be of no force or validity, and every Court of Justice, Judge, Magistrate, native King, Chief, and other tribunal authority, and person before whom any such claim or alleged right may be made, stated, brought into controversy, or shall arise, or come in question as aforesaid, shall refuse, disallow, discharge, and dismiss the same for all purposes and effects whatsoever: Providing always that this enactment shall not be construed to include or apply to such rights as under the ordinary rules of English law applicable to the Gold Coast Colony may arise under and by virtue of contracts of service between freemen, or as are included and reserved in the last preceding section.

No claim affecting liberty to receive effect, saving lawful exceptions.

V. Whosoever shall, by any species of coercion or restraint, compel or attempt to compel the service of any person declared in this or in any other Ordinance of this Colony a free person shall be guilty of an offence punishable in the manner prescribed in the 7th Section of the "Gold Coast Slave-dealing Abolition Ordinance, 1874:" Provided that this enactment shall not be construed to apply to any such coercion as lawfully may be exercised by virtue of such contracts of service as under [the ordinary rules of English law applicable to the Gold Coast Colony may be entered into between free persons, or by virtue of such rights as are included and reserved in the 3rd Section of this Ordinance.

Compelling service unlawful: penalty.

VI. This Ordinance shall be sufficiently cited for all purposes as the "Gold Coast Emancipation Ordinance, 1874."

Short title

Passed in the Legislative Council this seventeenth day of December, in the year of our Lord one thousand eight hundred and seventy-four.

(Signed) ALFRED MOLONEY,
Clerk of Legislative Council.

I assent to this Ordinance in Her Majesty's name.
(Signed) GEO. C. STRAHAN, Governor.

Inclosure 3 in No. 21.

Sir,
Cape Coast, December 9, 1874.
I HAVE the honour to transmit the drafts of the Ordinances to abolish slave-dealing, and to provide for the abolition of slavery, which I have carefully revised.

2. The purposes dealt with in the two Ordinances are so thoroughly connected and allied with each other that there appears to be little objection against their being combined in one Ordinance, now that there is no longer any question as to the desirability of bringing the Emancipation Law simultaneously into operation with that prohibiting slave-dealing. There are, however, some reasons of convenience in having separate Ordinances, and upon consideration I have thought it best on the whole that the formal scheme should retain the shape in which it was originally presented.

I.—Slave-dealing Abolition Ordinance.

3. The clauses of the Ordinance for the abolition of slave-dealing have not been much altered. I have consequently but little to add regarding the structure of these clauses to the remarks contained in my former report of 18th September last.

4. With reference to the application of the Ordinance to the Gold Coast Colony, as well as to the protected territories, declared by Section I, it is perhaps right to state that it is applied to the Colony for purposes of jurisdiction, as it appeared that, at all events, offences committed outside the limits of the Colony (that is, probably, the whole of the offences that may require to be dealt with) could not be tried in the ordinary Courts of the Colony either under the Consolidation Act of 5 Geo. IV (as altered by the 36 and 37 Victoria, c. 88), or under the 6 and 7 Victoria, c. 98, unless, under the latter Statute, in the case of the accused parties being British subjects. In the possible occurrence, also, of offences within the Colony, as at Lagos, even assuming such to be triable under the Imperial Acts, it was considered desirable, in order to uniformity in the modes of trial and punishment, that the Ordinance should apply to these as well as to offences committed in the protected territories.

5. The operation of the Ordinance has been made to commence from its passing and being assented to by your Excellency. It is for consideration whether some postponement might not be made as regards the penal clauses. As, however, the scope of the measures is already so publicly and widely known, and as the large discretionary powers, which are given regarding the extent of punishments, would allow any offence committed in excusable ignorance (should such a case occur) to be equitably dealt with, it may be questionable whether any such postponement is required.

6. Some alteration has been made in the phraseology of the sixth section.

7. In pursuance of the suggestion contained in Lord Carnarvon's despatch of the 29th October, the maximum period of punishment has been extended from five to seven years.

8. To the seventh section a clause has been added, providing for the recovery of mnes by imprisonment. I have thought it well also to give a power of recovering by distress, with alternative imprisonment in case of insufficient distress, allowing the Court also to order imprisonment without proceeding by way of distress, when judged more expedient.

9. In the ninth section I have thought it advisable to declare in more express terms than formerly the avoidance of all contracts which contain any stipulation for a slave-dealing purpose, although only incidental to the principal object of the contract; the wording of this section, as originally drafted, appearing somewhat defective. As regards the total avoidance of this class of contracts, the clause should not have any retrospective operation. I had drafted a clause, in which I proposed even a slightly postponed date for this purpose, but the amended clause which Lord Carnarvon has directed should come in place of the ninth clause, as originally drawn, appears to meet all cases with sufficient exactitude, and is embodied in the draft now forwarded.

II.—*Emancipation Ordinance.*

10. (Section 1.) The application of this, like the Abolition Ordinance, to the Gold Coast Colony, as well as the protected territories, is requisite for bringing the Courts of the Colony within the operation of the fourth section.

11 (a). Section 3. Although the provisions of the fourth Section would suffice to effect the emancipation as regards practical purposes of all persons subject to slavery, I consider, nevertheless, that the third Section should be retained. As an explicit declaration of the manumission of the *post nati* it is thorough-going, whilst it seems impossible that it can be productive of inconvenience of any sort; and it may be expected to have the effect of bringing home to the general apprehension of the population that slavery is not only to become by these laws dormant and of none effect, but also to be extinguished and cease to have any existence amongst them. The date of 5th November, 1874, as a starting point from which all persons thereafter born should be free, is suitable for this reason, amongst others, that the meetings of the Kings and Chiefs which then took place at Cape Coast and Accra, being events of unusual character and importance, afford convenient means of pointing out a period to the native mind in such manner that it can be fixed and borne in memory, for which purpose the association of some outward tangible occurrence is always requisite.

12 (b). After some deliberation I have altered the wording of the enacting part of this Section, declaring the freedom of all persons born within the limits to which this Ordinance is applicable. As regards persons born within the Colony, it might perhaps seem enough to have left their freedom to be secured under the Slavery Abolition Act of 3. and 4. Will. IV. But it appeared to me that the manumitting clause of that Act, (Section 12), which applied to the slaves existing in any of the British Colonies, at the date mentioned in the Act, and their children, could not be taken to apply also to slaves

who at a future time might be found in a territory (as Lagos), which at the date of the Act formed no part of the dominions of the Crown, upon such territory being afterwards acquired by cession. And although it might be held that the Clause abolishing and declaring slavery unlawful throughout the British Colonies applied to Colonies to be acquired after the Act, as well as to those then existing, that would only establish that Lagos should be considered from the date of the cession to have been a free soil, but would not effect the manumission of the slaves then being in the Territory, or who should afterwards come into it from places where slavery was an allowed institution; although of course nothing could have lawfully been done inconsistent with the freedom of such persons while within Lagos. Having regard to the fourth Clause of the Ordinance, it is probably impossible that any question concerning the status of persons born in Lagos should ever arise. I have, nevertheless, thought it well to use an expression which would certainly exclude any such question, and which in other respects did not seem open to objection.

13 *a.* Sections 4 and 5. I have prepared for consideration, in accordance with the suggestion in the sixth paragraph of the Earl of Carnarvon's despatch, an additional Section which might conveniently stand as Section 5; declaring it a punishable offence to coerce any person for the purpose of exacting service, except so far as may be lawful under contracts and other allowed relations. Whilst deferring with every submission to the view expressed by his Lordship with reference to the introduction of a Clause of this nature, I may be permitted to state that it was not by oversight that I did not insert any such in my original Draft. It appeared to me that having excluded the relation of master and slave from receiving judicial recognition or effect, although not providing for the punishment of persons attempting forcibly to maintain it in particular instances, not only was virtual emancipation secured for all, but also active legal redress to any person against whom coercive measures might be used to compel servitude.

14 *b.* Take, as example, the case of a slave being desirous of leaving his master's kroom for the purpose of joining his own relations in some distant part of the country; if the master should seek an order from any Court to restrain his slave from leaving him, the ground of the master's proceeding being an alleged right which the Court did not recognise, it would as a matter of course refuse to grant the order of restraint; and thus far the slave would be free to go wherever he chose. Suppose that the master should then himself adopt coercive measures for the retention of his slave by imprisoning, putting him in log, or possibly administering a flogging as a punishment and deterrent. If now the slave should institute a prosecution or action for the assault and false imprisonment, and the master should plead thereto that the plaintiff was his slave, and that he assaulted or imprisoned him in exercise of his right as a master to enforce his slave's obedience, the Court would hold, if I rightly conceive, that it could not under the Ordinance sustain the alleged right as a valid plea in justification, and would proceed to award to the plaintiff such redress as the Law gave for the wrongs he had sustained irrespectively of any reference to the attempted justification which it had overruled; and so I apprehend the Courts would properly hold in every instance where a right as slaveholder was set up in justification of any Act which but for such right would not be justifiable.

15 *c.* On the other hand, I was disposed to think that the express enactment of penalties specially directed against the coercive acts of the masters, was not free from a certain degree of objection as having the tendency when perhaps not thoroughly understood by them, to cause an apprehensive dread of being liable to be overtaken by punishment from the mere fact of their former slaves remaining in their households, and thus to induce a more precipitate breaking up of existing relations than would be at present for the advantage of any of the parties concerned.

16 *d.* In case your Excellency should consider that such objections as this apply to a penalties' clause in this Ordinance, and that they are serious in their nature, I have made the fourth clause more comprehensive in its terms, declaring expressly that no alleged right affecting liberty shall receive effect, whether brought forward for the enforcement as a ground of action, or by way of plea, demurrer, answer, or defence, in any proceeding, in the view of its being considered whether in this form it does not sufficiently open the way for the employment of the ordinary provisions of law, for the punishment or repression of any attempts at undue coercion. In any event the clause as revised may, I think, be advantageously substituted for the former one.

17. It has been considered whether it would be desirable to introduce any clauses in this Ordinance prescribing methods by which the former masters and slaves might, either by express contract, or in any other way which might be declared equivalent to contract, engraft upon their former relation the new one of masters and servants under

the provisions of English law. But it has been thought that whilst such clauses are unnecessary, inasmuch as without special legislation it is quite competent for any persons to constitute the relation of masters and servants who agree to do so, their publication along with, or incorporated in this Ordinance, might not improbably have the effect of unsettling and introducing needless anxieties in the minds of the people, inducing the belief that there was necessity for immediately changing the method of their lives and entering upon a new system. It is believed that the more the vital and essential change which has been effected upon the nature of the old relations shall be left to its own adjustment, as regards its operation upon the arrangements and habits now actually existing, the less reason will there be to apprehend the period of transition being attended with evils and inconveniences.

I have, &c.
(Signed) D. P. CHALMERS.

His Excellency Captain G. C. Strahan,
Governor of the Gold Coast.

Inclosure 4 in No. 21.

Proclamation.

By his Excellency George Cumine Strahan, Captain Royal Artillery, Governor and Commander-in-chief of the Gold Coast Colony.

(L.S.) GEORGE CUMINE STRAHAN, *Captain Royal Artillery, Governor.*

WHEREAS the Queen's Most Excellent Majesty has resolved to abolish slave-dealing in Her Protectorate of the Gold Coast and the importation thereinto of slaves and persons intended to be dealt with as slaves and also to provide for the emancipation of persons holden as slaves within the said Protectorate:

And whereas the Governor and Legislative Council of the Gold Coast Colony have by Her Majesty's commands enacted an Ordinance bearing date 17th December, 1874, by which all selling, buying, or dealing in slaves is declared unlawful, and is absolutely and for ever abolished, prohibited, and made penal, and another Ordinance also bearing date 17th December, 1874, providing for the emancipation of persons holden in slavery.

Now I do hereby proclaim, publish, and make known the said Ordinances to all persons whom it may concern.

And further, in order and to the intent that all the Kings, Chiefs, Headmen, and other persons throughout the aforesaid Protectorate and elsewhere may the more readily understand and obey the laws now made and enacted, I hereby require every person to take notice and observe that now and from henceforth

It is unlawful to sell or purchase or transfer or take any person as a slave.

It is unlawful to sell or purchase or transfer or take any person so as to make such person a slave.

It is unlawful to put or take any person in pawn for or on account of any debt.

It is unlawful to bring any person, whether slave or free, into the Protected Territories from Ashantee or elsewhere in order that such person should be sold or dealt with as a slave or pawn.

It is unlawful to take or send any person out of the Protected Territories in order that such person should be sold or dealt with as a slave or pawn.

It is unlawful to make any contract or agreement for buying, selling, or pawning any person, or for bringing any person into or out of the Protected Territories to be sold or dealt with as a slave or pawn.

It is unlawful that any King, Chief, Headman, or other person should, in any palaver, or by any means whatsoever, force or constrain any person for the purpose of compelling him to remain at any place or serve any master contrary to the will of such person.

Whosoever offends against any of these laws shall be punished with imprisonment and hard labour and may also be fined.

If in any contract hereafter made it should be agreed that any person shall be put in pawn, or bought or sold or transferred, the whole contract shall be null and void.

And further, let all persons whom it may concern take notice that all children who, after the 5th day of November, 1874, have been or shall be born in the Protectorate, have been declared free. But it is not intended by any of the aforesaid laws, or other-

wise, to offer inducement to any persons to leave any master in whose service they may be desirous of remaining, or to forsake the krooms where they have been accustomed to inhabit, and that it is intended to permit the family and tribal relations to continue in all respects according as used and wont except only that of slavery and such customs as arise therefrom and are thereon necessarily dependent.

Given at Government House, Cape Coast Castle, this 17th day of December in the year of Our Lord, 1874, and of Her Majesty's Reign the 38th.

By command,
(Signed) W. OWEN LANYON,
Acting Colonial Secretary.

God save the Queen!

No. 22.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, January 22, 1875.

I HAVE received your despatch of the 27th ultimo,* answering mine of the 4th ultimo, in which I drew your attention to the apparently erroneous statement in the London newspapers of the result of the palaver with the Kings and Chiefs on the 3rd November.

I consider your explanation to be quite satisfactory.

I have, &c.
(Signed) CARNARVON.

CORRESPONDENCE relating to the Queen's
Jurisdiction on the Gold Coast and
the Abolition of Slavery within the
Protectorate.

—

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. February 6, 1875.*

LONDON:

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