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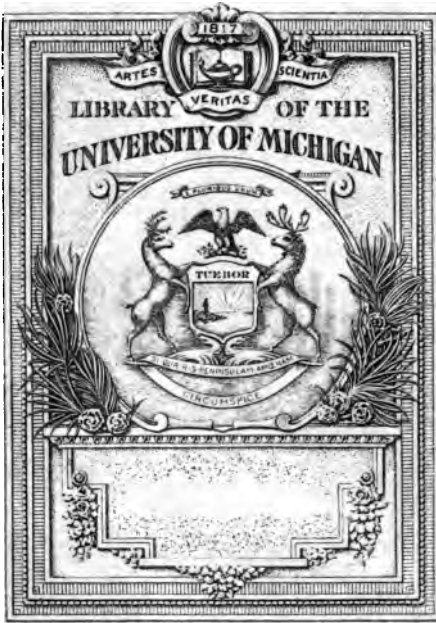
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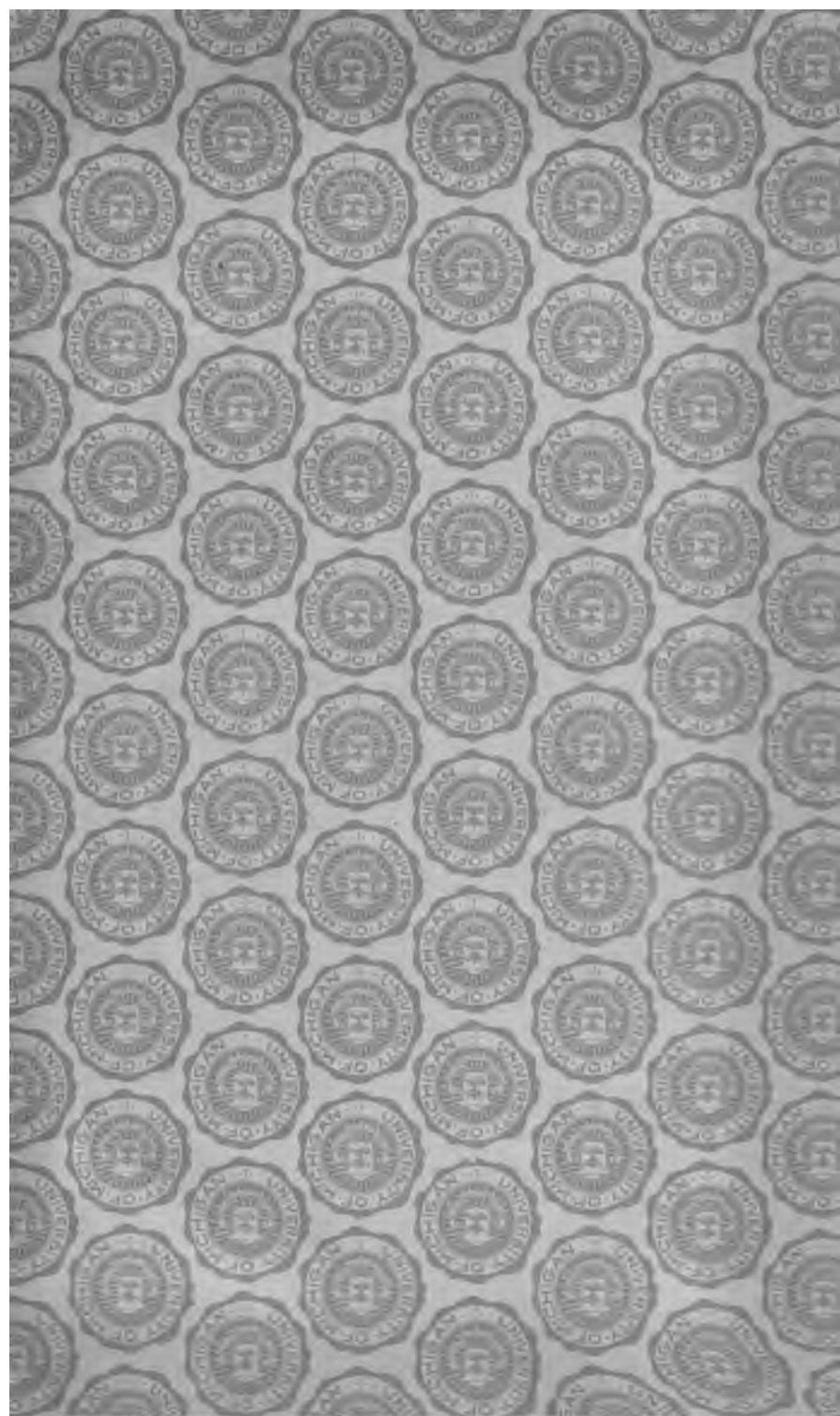
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Zachary Macaulay.

THE  
**SLAVE COLONIES**

OF

**GREAT BRITAIN;**

OR

**A Picture of Negro Slavery**

drawn

**By the Colonists themselves;**

---

BEING

AN ABSTRACT OF THE VARIOUS PAPERS RECENTLY LAID  
BEFORE PARLIAMENT ON THAT SUBJECT.

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*"Out of thine own mouth will I judge thee."*

LUKE xix. 22.

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SECOND EDITION, CORRECTED.

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LONDON:

PRINTED BY ELLERTON AND HENDERSON,  
GOUGH SQUARE,

FOR THE SOCIETY FOR THE MITIGATION AND GRADUAL ABOLITION OF  
SLAVERY THROUGHOUT THE BRITISH DOMINIONS;

AND SOLD BY J. HATCHARD AND SON, PICCADILLY;  
AND J. AND A. ARCH, CORNHILL.

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THE  
SLAVE COLONIES,

&c. &c.

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**DURING** the session of 1824, a number of papers were moved for in the House of Commons on the subject of Colonial Slavery. A few of these were presented and printed in the same session; but by far the most important were not produced till the following session, and were not printed and in the hands of Members till near its close, when it was too late to make any but a very partial use of them. As these papers are very voluminous, it has been judged advisable to form an abstract of them, with a view both to the convenience of Members of Parliament, and to the information of the public at large. A few observations and notes will be added, for the purpose of explanation, and in the hope of thereby rendering the abstract more intelligible and useful.

The following are the titles of the various papers which this analysis is intended to embrace. In order to avoid confusion, and promote brevity, a distinguishing letter is prefixed to each, which will be employed to designate it, whenever a reference to it becomes necessary.

- A.—Papers presented to Parliament by his Majesty's command, in explanation of the measures adopted by his Majesty's Government for the melioration of the condition of the Slave Population in his Majesty's possessions in the West Indies and on the continent of South America (in continuation of the Papers presented in 1824). 1825.
- B.—Additional Papers presented to Parliament by his Majesty's command, in explanation, &c. (in continuation of the Papers presented this session). 1825.
- C.—Further Papers relating to Slaves in the West Indies; Demolition of the Methodist Chapel in Barbadoes. Ordered to be printed 16th March, 1825, and numbered 113.
- D.—Further Papers relating to Slaves in the West Indies; Demolition of the Methodist Chapel in Barbadoes. Ordered to be printed 21st March 1825, and numbered 127.
- E.—Papers relating to the Manumission, Government, and Population of Slaves in the West Indies, 1822—1824. Ordered to be printed 1st March 1825, and numbered 66.

- F.—Further Papers relating to Slaves in the West Indies ; Information respecting Lecesne and Escoffery. Ordered to be printed 4th March 1825, and numbered 74.
- G.—Honduras: Letter from Captain R. Maclean. Ordered to be printed 18th June 1824, and numbered 439.
- H.—Slave Population, West Indies. Ordered to be printed 14th June 1824, and numbered 424.
- I.—Slave Population, West Indies, Cape of Good Hope, and Mauritius. Ordered to be printed 1st July 1825, and numbered 512.
- K.—Population of the Mauritius. Ordered to be printed 30th May 1825, and numbered 361.
- L.—Slaves in Tortola. Ordered to be printed 25th April 1825, and numbered 1235.
- M.—Slaves in Tortola: Case of the Donna Paula. Ordered to be printed 18th June 1824, and numbered 441.

In the Appendix to the Second Report of the Anti-slavery Society will be found a copy of the Instructions transmitted to the Governors of the different West-India Colonies by Earl Bathurst, respecting the reforms in the system of colonial slavery which his Majesty's Ministers were desirous of introducing ; together with the substance of the Order in Council for improving the condition of the slaves in Trinidad, in which Order those instructions were for the most part embodied. Soon after that Order was promulgated in Trinidad, Lord Bathurst, in July 1824, transmitted a copy of it to the different local governments in the West Indies, accompanied by letters recommending its adoption. The general tenor of these letters will be sufficiently understood by the following copy of one of them, which was addressed to the Governor of Jamaica, and from which the others do not materially vary. It is as follows :—

“ I have the honour of enclosing to your Grace a copy of the Order in Council for the improvement of the condition of the slaves in Trinidad : and I have also to notify to you his Majesty's appointment of two Bishops ; the one for Jamaica, and the other for the Leeward Islands ; to whom are to be entrusted the controul of the Clergy of the Church of England within their respective dioceses, and the duty of reporting upon the state of the ecclesiastical establishments, particularly as it relates to the slave population ; and upon the best means of diffusing the benefits of religious instruction to that part of the community. Your Grace must, indeed, have been long informed of both these measures ; but my reason for calling your attention to them at this moment, is for the purpose of enabling you to bring more completely under the consideration of the Legislature, at their ensuing meeting, the whole of the measures which his Majesty's Government have in contemplation for the melioration of the state of the slave population.

“ His Majesty's Government have been anxious to prove the deep interest which they feel in the encouragement of the religious and moral instruction of the Negroes, by at once taking upon themselves

the whole charge of placing the clergy of the West Indies under episcopal controul ; and they have further directed, that a given sum shall be forthwith placed at the disposal of the Bishops, for the purpose of providing for the more immediate supply of persons in holy orders within their respective dioceses ; and his Majesty confidently expects to receive every assistance from the Assembly, to promote the establishment of a system so calculated to produce the most beneficial effects on the morals and habits of the slave population.

“ With respect to the Order in Council for meliorating the condition of the slaves in Trinidad, similar provisions to those which are contained in that Order will be extended to Demerara and Essequibo, St. Lucia, the Cape, and the Mauritius, with such modifications as may be necessary to adapt them to the Dutch and French laws, which are respectively in force in those possessions.

“ The Assembly of Jamaica shewed their anxiety for the improvement of the condition of the slaves, by many of the provisions of their Consolidation Act, passed in 1816; and it is impossible to believe, that, consistently with the spirit which then animated them, they will now refuse to go further. On attentively considering the provisions of the Order in Council, they will not fail to perceive much which practice has already established in Jamaica, and which requires little more than the formal sanction of a law to complete\*. In comparing it with the provisions of their own Act, they will observe, that, upon the principle of those provisions, many of the suggested alterations must be considered as improvements ; and by incorporating in their statutes those additional provisions of the Order, which as yet are not to be found in their Consolidation Act, they will lay the foundation for such a system of gradual improvement of the condition of the slave population, as will prove equally honourable to the Assembly, and beneficial to those for whose advantage it appears to be more immediately intended.

“ Your Grace will readily anticipate the serious extent of the disappointment which his Majesty's Government will experience, if, unfortunately for their best interests, as well as for the cause of humanity, the Assembly of Jamaica shall reject the substance of these regulations, which they must be aware have received the sanction of Parliament, and the general approbation of the country.” (A. p. 6.)

We shall now proceed to state the effect which has resulted in the colonies from the various recommendations of his Majesty's Government, as far as it is to be deduced from the papers recently laid before Parliament ; combining with that information the substance of such communications from the colonies on collateral topics, as may bear materially on the main subject of the present publication,—the Progress of Colonial Reform. The colonies will be taken separately, and in their alphabetical order.

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\* Lord Bathurst, we fear, has been led to think far too favourably, both of the law and the practice of Jamaica.



## I. ANTIGUA.

The only information obtained from this island is to be found in a dispatch of Mr. President Athill, addressed to Earl Bathurst, dated Sept. 3, 1824, and is as follows :—

“The Committee, to form the Bill for consolidating the laws respecting the slave population into one Act, have not proceeded with as much industry as might have been expected from the importance of the subject. Since I received your Lordship’s letter, I have called the attention of the chairman to the subject ; and I hope that will be more completely done by the consideration of the dispatch itself, when laid before the Assembly, at their meeting, on the 9th of this month.” (A. p. 102.)

The want of industry in the Colonial Assembly, of which the President complained on the 3d of September 1824, does not appear to have been remedied by the subsequent communication to them of Lord Bathurst’s dispatch. No further report of progress appears to have been since made to his Majesty’s Government.

## II. BAHAMAS.

The Legislature of the Bahamas has given us a useful specimen of the kind and degree of improvement to be expected, when it is left to the colonists themselves to reform their slave code. In the Bahamas, from their peculiar circumstances, but more especially from the unproductiveness of their soil, and the total absence of all sugar culture, the treatment of the slaves has been practically less severe than in most of the other slave colonies. The slaves have been less worked and better fed ; and their numbers have consequently increased, at the rate of about two per cent. per annum, or probably at a still higher rate. In January 1824, the Bahama Legislature proceeded, in compliance with the recommendations of his Majesty’s Government, to pass Acts to amend their slave laws, and to improve the condition of the free People of Colour. It will be only necessary to advert to the provisions of these Acts, in order to judge how far this colony has advanced in the career of amelioration.

In some of his Majesty’s colonies, free Blacks and Persons of Colour have been long admitted to give testimony in courts of justice against Whites ; but in the colony of the Bahamas it was not until the year 1824 that a person of any description, not White, was admitted to this privilege. Free Blacks and People of Colour are now allowed to give evidence in courts of justice, in all civil or criminal cases affecting White persons. But it is under the guard of the most jealous restrictions that even this privilege is conceded to them : none are permitted to enjoy it fully, who have not been *born*

*free*, and who have not been born Creoles—that is to say, who are not natives of the West Indies—and who have not resided at least five years in the Bahamas. Thus a Mulatto born in England, for example, whatever may be his acquirements, his station in life, or the respectability of his character, is excluded from giving evidence, in all cases affecting the White persons who form the petty oligarchy of the Bahamas.—But the next clause contains a further extension of this liberal system. All *Creole* Negroes or Mulattoes, who, though not born free, yet have been manumitted since their birth, and have actually enjoyed freedom for five years, and who profess the Christian Religion, shall be admitted to all the rights and privileges in this respect of Persons of Colour born free in the Bahamas; except that they shall not be allowed to give evidence of any treason, felony, or other offence committed previous to their emancipation. But from these rights and privileges all “Negroes, Mulattoes, and other Persons of Colour, being natives of Africa, or of any of the islands contiguous thereto,” are to be absolutely excluded; while all who are not Creoles—that is, natives of the West Indies—are virtually excluded from them. We presume that this extraordinary Act has not received his Majesty’s sanction. (A. p. 20.)

The new Consolidated Slave Law contains seventy-eight clauses. (A. pp. 21—37.) We shall briefly advert to such of them as require observation.

§ 2. The allowance of provisions given to slaves is to be equal to twenty-one pints of wheat flour per week\*.

§ 3. All manumissions of slaves incapable of labour are made void, and the master is bound, under a penalty of ten pounds for every failure, to provide for such slave †.

§ 6. Slaves being husband and wife, or reputed husband or wife, and their child or reputed child being under fourteen years of age, when belonging to the same owner, are not to be sold separately; and the same rule is to be observed in the case of testamentary bequests‡.

\* This is more than double the allowance in the Leeward Islands, where the labour is far more severe than in the Bahamas.

† Lord Bathurst justly objects to this clause, which, he argues, may become the source of great abuses. “If the slave,” his Lordship remarks, “possesses, or can find, the means of purchasing his own freedom, there is no danger of his becoming a burden to society.” Besides, “it may at any time become a question, whether the manumission of a slave is not void in consequence of his owner having been induced to grant it by his incapacity to labour; and a class of persons may therefore arise, respecting whom, and respecting whose descendants, it may always remain a question whether they are free men or slaves.” His Lordship refers them to the Trinidad Order in Council, which sufficiently guards against all the probable evil arising from improper manumissions, by requiring of the owner, in the case of his *voluntary* manumission, either of infant children, or of infirm and aged slaves, a bond to be entered into, for the maintenance of the infant till the age of fourteen, and of the aged and infirm during life. (A. pp. 39 and 136.)

‡ The provisions of the Spanish and Portuguese laws require, not only that husbands, wives, and children of a certain age, belonging to the same owner,

§ 9. "All masters or owners, or, in their absence, their overseers, shall, as much as in them lies, endeavour to instruct their slaves in the Christian religion; and shall do their endeavour to fit them for baptism: and, as soon as conveniently may be, shall cause to be baptised all such slaves as they can make sensible of a Deity and of the Christian faith\*."

§§ 10—13. These clauses are intended for the encouragement and due celebration of marriage between slaves, and between slaves and free People of Colour. Such marriages cannot be celebrated without the consent of the owner in writing; which consent there is no provision for compelling the owner to grant, or to assign an adequate reason for not granting. Marriages so celebrated are declared to be good, valid, and binding, to all intents and purposes in the law whatsoever, "saving always the just right of ownership, which in no case whatever shall be in any wise hurt, prejudiced, straitened, or otherwise affected thereby," and "provided that the marital power and authority to be thus acquired by the husband over the wife, shall in no such case impugn, diminish, or interfere with, the rights or authority of the owner, in any manner whatsoever."

§§ 14, 15. The wilful mutilation of a slave is made liable to be punished by a fine, not exceeding 100*l.* (currency), and imprisonment, not exceeding twelve months; and the court *may* free the slave so mutilated from slavery.—No court of justice shall sentence a slave to be mutilated or maimed.

§ 16. A person killing a slave "wilfully, and with malice aforethought," shall suffer death without benefit of clergy.

§ 17. A person wantonly or cruelly treating a slave, is liable to be punished by fine or imprisonment, or both, at the discretion of the court.

§ 18. "In order to restrain arbitrary punishment," "no slave shall receive more than twenty lashes at any one time, or for any one offence, unless the owner or employer of such slave, or supervisor of the workhouse, or keeper of the gaol, be present;" and these persons are restricted from inflicting more than thirty-nine lashes at one time, and for one offence: "nor shall any female slave above the age of

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should not be separated by sale or bequest, but that, when they belong to different but neighbouring owners, an arrangement should always be made to prevent their being separated, by obliging the owner, either of the wife or the husband, to become the purchaser of the other, on reasonable terms.

\* We have here a specimen of the ordinary provisions of West-Indian Legislatures for the religious instruction of the slaves, whenever they have condescended, out of deference to public feeling in this country, to notice the subject at all; viz. an enactment without penalty or sanction of any kind, without any specification of time or place, without any provision of means of instruction, or of instructors—an enactment, in short, intended for effect in England, but which must be a dead letter in the West Indies.

† What may be the exact import of this proviso we are unable even to guess. Whether it leaves to the husband any connubial rights whatever; and whether it conveys any means of redress against the master, or any other free person, violating those rights; are points which remain involved in a happy obscurity.

twelve be punished otherwise than in private"—all under a penalty of 10*l.* (currency) for every offence\*.

§ 19. This clause recognises the right of owners to send their slaves to gaol, and authorises the marshal or gaoler to keep them there, without any limitation as to time.

§ 20. The practice of fixing iron collars, with projecting bars or hooks, round the necks of slaves, or loading their bodies or limbs with chains, irons, or weights of any kind, *beyond what is necessary for securing their persons* (a somewhat indefinite measure of punishment!), is forbidden, under a penalty of 50*l.* (currency.)

§§ 28—39. All slaves who have been in the island two years, and who shall run away, and be absent for more than ten days and not exceeding six months, may suffer any punishment that *two justices* may inflict, not extending to life or limb. If absent more than six months, they may be transported for life, or suffer any other punishment the *two justices* may inflict, not extending to life or limb. Slaves harbouring run-away slaves may be punished in like manner; and free persons doing so, on conviction in the general court, may be punished by fine and imprisonment. All persons taking up run-aways, shall have certain rewards. Slaves shall receive for each rebellious slave they kill, 5*l.*; and for each they take alive, 10*l.* and a blue coat with a red cross †.

§ 40. After a run-away slave committed to gaol shall have been advertised for twelve calendar months, if no person shall claim him, he may be sold by public outcry; and the surplus, after paying the

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\* Lord Bathurst (A. p. 39) very justly objects to arming the supervisor of a workhouse, or the keeper of a gaol, with the power of inflicting "on a slave a punishment as severe as could be inflicted by his owner," because "such power cannot be placed in the hands of such officers without a danger of its being much abused." But might not this just remark have extended much farther? Is there, then, no similar danger of abuse from arming an owner or employer with such a power? or from arming all other persons with a power of inflicting twenty lashes—of the cart-whip to wit—at their discretion? In Jamaica, forty years ago, an owner or overseer was allowed to inflict only thirty-nine lashes, and all other persons only ten; but the ameliorating law of the Bahamas has now only arrived at the limit of thirty-nine for the owner, and twenty for all other persons. In the Trinidad Order in Council, no punishment exceeding three lashes is allowed, without certain important formalities; and, with all these formalities, the utmost extent to which a master can go is twenty-five. In the Bahamas, however, for any offence, or for no offence, without record and without witnesses, at the caprice of a driver, twenty lashes, and at the caprice of an owner or employer, thirty-nine lashes, of the cart-whip—every stroke of which may leave a deep incision—may be inflicted on any slave, male or female, the latter being whipt in private!!

† The extent and the jealous minuteness of the provisions respecting run-aways, form a curious contrast to the brevity, and the absence of all penalty and sanction, which mark the single clause about religion. And then let the frightful severity of these enactments be considered. *Two justices* may inflict any punishment short of life and limb—even the unsparing torture of 500 or 1000 lashes, if the wretched sufferer can live through it; for there seems to be no other limit.

prison fees and charges, "shall be paid into the public treasure, to be applied towards defraying the expenses of the government\*."

§ 42. Slaves escaping from gaol before trial, and being taken, on proof of identity before two justices, may receive fifty lashes.

§ 47. Any slave having concealed in his or her house, or possession, any fire-arms, gunpowder, slugs, or ball, and convicted before two justices, shall be punished by whipping, at their discretion—(no limit to its extent).

§ 48. Any slave *offering* violence, by striking or *otherwise*, to any *White* person, shall be punished, at the discretion of *two justices*, with *any punishment short of life or limb*.

§§ 49, 51. Slaves mixing poison, with intent to give, or actually giving it, though no death ensue; and stealing or killing cattle, sheep, horse, mule, or ass; may be punished with death.

§ 50. To a slave "fraudulently" possessed of from five to twenty-eight pounds of beef, mutton, veal, or the flesh of horse, mare, mule, or ass, two justices may give thirty-nine lashes; if more than twenty-eight pounds, they may inflict *any punishment not extending to life or limb*.

§§ 52—54. A slave aiding a slave to depart from the Bahama islands, shall suffer transportation, or any other punishment, not extending to life and limb. A free Negro, or Person of Colour, doing so, shall be subject to transportation; and, if afterwards found at large, to death, without benefit of clergy. A White doing so, shall forfeit 100*l.*, and be imprisoned, for not more than twelve months†.

§§ 57, 58. Slaves vending spirituous liquors, or playing at dice or cards, or guilty of any other kind of gaming, shall be publicly whipped, by the order of any two justices.

\* After all that has been said and written on the subject, it has been re-enacted as a law, in the reformed slave code of the Bahamas, that a Negro or Mulatto, who shall have been committed to gaol as a run-away, after having been confined and worked there for twelve months, shall, without any proof of his being a slave, and against the fair presumption of his being a freeman, have this additional cruel and irreparable wrong inflicted upon him, of being sold into perpetual bondage. Lord Bathurst makes an objection to this part of the law respecting run-aways. The following are the terms he uses, (A. p. 39): "It is necessary," he says, "that some provision should be made for ascertaining whether the person is really a slave. The non-claim for twelve months raises at least a presumption that he is not a slave; and if he asserts himself to be free, it is in justice necessary that he should be secured from being sold into slavery, without sufficient proof that he is a slave." But is it not also necessary, in justice, that a person thus situated should be assumed to be free, and dealt with as free, until the contrary is proved?

† Lord Bathurst is struck with the gross inequality of these punishments, (A. p. 39.) "Since the superiority of rank and education," he observes, "which belongs to the White inhabitant, is an aggravation of the offence committed by him, there is an injustice in assigning to the aggravated offence the minor punishment." This admirable principle of law would go to abrogate, and ought to abrogate, more than one half of the whole frame of colonial legislation, which proceeds universally on the very opposite principle to that so well laid down by his Lordship, aggravating both crimes and punishments in proportion to the inferiority in rank and education of the criminal.

§§ 59—63. Slaves accused of crimes subject to death without benefit of clergy, are to be tried by the general court, in the same way as Whites or free persons. Those accused of clerigiable felonies, are to be tried by a court composed of two justices and five jurors, and *are not to be allowed any right of peremptory challenge of a juror, or any right of exception to the form of indictment.*

§ 64. Slaves giving false evidence, shall suffer the same punishment which the person, “on whose trial the false evidence was given, would, if convicted, have been liable to suffer,” “AND such other punishment as the justices shall award, *not extending to life and limb\*.*”

§ 69. Slaves receiving sentence of death or transportation, shall be appraised and valued. “But, if it shall appear that the owner of any such slave had treated him or her with inhumanity, and that necessity or hard usage might have driven such slave to the commission of the offence of which he or she shall have been convicted; then no valuation shall be made, nor certificate granted, and the owner shall not be entitled to receive any allowance whatever for such slave from the public †.”

§ 73. All free Negroes, or Persons of Colour, who have been slaves, shall, for all offences under the degree of felony, be tried as slaves are directed to be tried, and the evidence of slaves shall be admitted against them †.

§ 74. Inferior offences on the part of slaves may be summarily punished, by two justices, to the extent of fifty lashes.

Such is the attempt made by the Bahama Legislature, in the year 1824, to improve the condition of their slaves. Who could have believed it possible, prior to the fact, that, after the Resolutions passed in Parliament, after the Instructions issued by his Majesty's Secretary of State, after all that has been said and written on the subject of slavery, men, calling themselves Englishmen, could have been found so lost to all sense of propriety as to frame such an Act (an Act worthy of the most barbarous age), and to present it for the delibe-

\* His Lordship also objects to this clause, which, however, forms a part of almost every West-Indian code. “By this clause,” he remarks, “the operation of the law against the crime of perjury committed by a slave, whose ignorance is an extenuation of his guilt, is much more severe than against others, for whose guilt no such extenuation can be presumed.” Happy would it be for the slaves, if this principle had its just application universally!

† It is difficult to conceive how such an enactment as this should have found its way into any code of law. Is it possible for any man to read, without amazement and horror, that, though the convicted slave should be proved to have been driven to the commission of his crime by necessity or hard usage on the part of his master—a master possessing absolute and uncontrolled power—yet that the law does not order his sentence of condemnation to be reversed, but leaves him to be executed, or transported, as the case may be; while the only punishment inflicted on the real criminal is, that he does not receive the value of the murdered slave?

‡ Lord Bathurst objects to this clause, which marks so very strongly the disposition of the White legislators of the Bahamas to degrade the free People of Colour. “Any enactment,” he says, “cannot but be objectionable which deprives any free class of men of the benefits of trial by jury.” (A. R. 40.)

rate approbation of his Majesty? It is due to Lord Bathurst to observe, that his estimate of this legislative act is not to be measured by the terms he applies to particular clauses of it. In the letter which contains his specific objections, he adds the following general caveat against being supposed to approve what he does not specifically condemn. "With respect to the other provisions of this Act, and to the important omissions in it, I have only to refer you to my circular dispatches of last year, and to the Order in Council for the improvement of the condition of the slaves in Trinidad \*, by a comparison with which you will be fully enabled to judge how far this Act may consist with, and in what respects it will fail to carry into effect, the wishes of his Majesty's Government."

In the first section of the Act now reviewed, a number of former Acts, respecting slaves and free Persons of Colour, are suspended. From the operation of this suspending enactment, however, one clause of one of these Acts, passed in 1784, is excepted. This clause is not recited in the Act which thus distinguishes it from all the others, by continuing it while they are suspended; but Lord Bathurst has happily discovered its purport. It is a clause which condemns any Negro, Mulatto, or Indian, who assaults a White person with a dangerous weapon, (except a slave in defence of his owner's person or property,) to suffer death; and if the assault is committed by direction of the owner, it then renders the owner answerable by law, as he ought;—and it also condemns any Negro, &c. *who is otherwise abusive to any White person*, to be punished by a fine of not more than 15*l.*, or by corporal punishment. Such is the law specially selected from the mass by the White legislators of the Bahamas, to be maintained in all its savage rigour, for the purpose of upholding the despotism of colour. The following is Lord Bathurst's comment on this curious exception, this smuggled act of legislation: "The injustice of these enactments is so manifest, that, when the attention of the legislature is called to them, I assure myself they will not be desirous to continue them in force."

His Lordship, however, judged far too favourably of the disposition of that legislature. On receiving his observations, they transmitted a long message to the Governor, General Grant, complaining grievously of the wish expressed by Lord Bathurst for their adoption of the principles of the Trinidad Order in Council, the provisions of which they vehemently impugn as unjust and injurious; and, with a gravity which would be quite ludicrous, if the happiness of thousands were not implicated in the result, they proceed to argue that it is infinitely better for all parties that the Negro should be left to the voluntary and unforced kindness of his master, than to be protected by law. For, protect him, they say, by law—in the enjoyment of his property, for example—and from that moment, that property, "instead of a bond of union between him and his master, would become 'a barrier

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\* See the Second Report of the Anti-Slavery Society for these important documents; Appendix, pp. 71—104.

of inextinguishable hate.’” In short, “ a strong sense of the great impolicy and absolute danger of making any further innovations at present in the slave system of the colony, and a *decided conviction of the correctness of the principles on which they are now acting,*” compel them to refuse to alter their legislation. (A. p. 48.) This is at least a bold and frank defiance, on the part of the petty Parliament of the Bahamas, of the King, Lords, and Commons of England.

It would be wrong to close the abstract of these proceedings without adverting to the various communications of the Governor. In transmitting the Act which we have so fully abstracted, he observes to Lord Bathurst, that “ it improves the condition of slaves very considerably.” (A. p. 19.) What, then, must that condition have been previously? He adds, “ Having stated what has been done by the legislature *in favour* of the free coloured and slave population,” (we have seen what that is,) “ I conclude with observing, that I am not of opinion there exists, among the generality of the inhabitants of the community, any disposition to oppose the immediate wishes of Government, on the subject in question, *from any spiteful principle*, but, on the contrary, they will hereafter be found to go farther than they have done when the matter becomes less novel to them.” (*ibid.*) Again: he assures Lord Bathurst, that he does not believe there exists among them “ any *innate* disposition to oppose the wishes of Government,” but that their reluctance proceeds from fear; and he has thought it best not to confute their objections, though that would have been easy, as more, he thinks, will be gained by “ allowing time for cool reflection, than by appearing over anxious here, before it was known what may have been done by the other colonies.” (p. 41.) His speech to them at the close of the session is in the same style: “ Although nothing has been done this session, I nevertheless entertain the expectation, that, when the measures come to be less novel, you will be found duly to appreciate the position which his Majesty’s Ministers have assumed,” &c.... “ I cannot acquiesce in your arguments or conclusions; but I shall refrain from entering upon any argumentative discussion, as I conceive nothing is more likely to create and keep alive irritation in one class of persons, and excitement in another, than the giving unnecessary publicity to the various speculative opinions which are likely to be formed on a subject of such extent.” (A. p. 49.)

General Grant does not believe that there is the smallest room for apprehending any insubordinate feeling or disposition among the slaves. (A. p. 37.)

### III. BARBADOES.

The Second Report of the Anti-Slavery Society, lately published, adverts at some length to the legislative reforms attempted at Barbadoes, and points out some of the topics which had so divided the opinions of the Council and Assembly as to prevent the adoption of



a new consolidated and ameliorated Slave Act, which had occupied two years of anxious deliberation on the part of the legislators of this oldest slave colony of the British Crown. This measure has at length passed into a law; so that we have now a fair opportunity of ascertaining what, in their judgment, are the best means of so reforming their slave code as to meet the wishes of the mother country, and to satisfy the demands of humanity and justice. We proceed to analyze the new law.

§ 1. The preamble sets out with declaring, that "many circumstances, arising out of the present state of the slave population, render it necessary that the laws enacted by the *prudence* and *wisdom* of our forefathers, for their government, "should be revised;" and they therefore repeal no fewer than sixteen statutes on the subject, framed at different times from 1688 to 1818.

§§ 2—4. Slaves accused of capital crimes are to be tried by three justices, and twelve freeholders of the parish where the crime was committed. If the jury are unanimous in convicting, and the sentence be death, the execution shall take place not less than forty-eight hours after passing the sentence; and if the owner or overseer of the slave be the prosecutor, then a solicitor is to be engaged for the accused, and a clerk is to be appointed to take minutes of the trial, which are to be filed in the Crown-office of the island. If, when a slave is condemned to death or transportation, the owner, &c., shall desire to appeal (the slave himself has no right of appeal), the execution shall be stayed for ten days, that such owner may have time to apply to the Governor for a writ of error; and the judgment of the Court of Error, which shall have power either to affirm or reverse the sentence, shall be final; such court having power also to award costs against persons who may be deemed obstinate and vexatious for moving a writ of error without good cause.

§§ 5—8 contain minute regulations of police, about taking up slaves going abroad without leave, or found with any offensive weapon; and about permitting them to beat drums, or blow horns or shells, or use any instruments of dancing; or to dance, except in the mill-yard, and before nine at night; or to have their funerals after seven at night; or to have music or singing at such funerals. The Governor is empowered to forbid, by proclamation, all dances of slaves; and to employ the militia in searching the Negro-houses for run-aways, or for mischievous weapons.

§ 9. Every owner, who does not furnish every year his slaves with "decent clothing, according to the custom of the island," shall, on proof thereof, pay twenty shillings for each slave who shall not have been decently clothed within the year; half to be paid to the informer, and half to the treasury of the island\*.

\* This is a most whimsical enactment; for it leaves the slave still unclothed for the year, after the fine shall have been paid. And then, what is the fine for such an offence? It is equal to thirteen shillings and four-pence sterling. Now, if this fine is intended to operate as a punishment, we may assume it to be at least double the value of that "decent clothing, according to the custom

§§ 10—18. These clauses regulate the apprehension and imprisonment of run-away slaves till claimed by their owners. If not claimed in three months, the provost-marshal is empowered to sell them: the proceeds, after paying their expenses, to be paid into the treasury. *Until sold, the run-aways are to be kept at work in the chain gang.* Persons claiming to be free are to be advertised as such for three months; and if at the end of that time their freedom is not proved, the Governor and Council are empowered to hear and to determine the matter, and either to sell them as slaves or send them off the island. For persons committed as run-aways, but claiming to be free, the provost-marshal *may* take bail in 100*l.* The keepers of the cage, or of prisons, misconducting themselves, or being guilty of any crime, misdemeanour, or offence, in their office, shall be punished with imprisonment, not exceeding one month, and fine, not exceeding five pounds\*.

§ 18. Slaves confined in the cage, or in gaol, shall be employed in gangs, on the streets and highways, or public works in and around Bridgetown, *secured by fetters* †, under the superintendance of a proper person, who shall be answerable for their safety.

§ 19. Inquests of coroners on the bodies of slaves, are to be transmitted, with all the evidence, to the Governor, and to be recorded in the Crown-office.

§ 20. Any justice of the peace may call out a guard of twenty men, armed, to apprehend run-away slaves; and if any such slaves are killed, in consequence of their resisting the authority of this guard, the guard shall not be punished for the same, either criminally or otherwise.

§ 21. Any owner, &c. permitting a slave to go at large for the purpose of supporting himself, or paying hire for himself, or following any trade or business, for his own advantage or that of his owner or any other person, shall forfeit 5*l.*; the *onus probandi* resting on the party complained of. This most cruel and oppressive enactment is not to extend to a slave regularly *settled* in any house, and carrying on trade for the benefit of his owner, if licensed half-yearly.

§ 23. *Any* person may apprehend any slave having in his possession “any sugar-canes, sugar, rum, cotton, ginger, aloes, plate,

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of the island,” which an owner is expected to give. If we are wrong in this assumption, and the “decent clothing” of a Negro would cost more than thirteen shillings and four-pence sterling in the year, then the owner will gain, even if he pay the fine: of course he will gain still more by merely running the risk of being made to pay it, by means of a conviction consequent on the complaint of his slaves.

\* This law, bad as it is, is an improvement of the old law. It empowers the Governor and Council to examine his claim, before a man claiming to be free shall be sold as a slave. But even if he should not be proved to be a slave, he must still be banished; and in the mean time he must work in the chain gang. It seems to evince a most extraordinary confidence in the keepers of cages and prisons, or a great tenderness for their crimes, to limit their punishment to 5*l.* fine and one month's imprisonment, for any malversation in their office, even, it may be, for starving or mutilating one of their prisoners, or whipping one of the chain-gang to death.

† No exception is made of persons claiming to be free.

wrought or cast iron, lead, copper, pewter, brass, tin, or *other article or thing, of what nature or kind soever*, without a note descriptive of the same; who, on conviction before any justice of the peace, shall be whipped, at his discretion, not exceeding thirty-nine lashes. And if any slave shall plant cotton, ginger, or aloes, it can only be reaped under the inspection of some White person, and sold or disposed of by the same\*.

§§ 25, 26. Any White, free person, or slave, buying of a slave stolen goods, knowing them to be stolen, shall be punished as the actual stealer would be. And if stolen goods are found in the possession of any White or free person, or slave, *although it cannot be proved that it was with the knowledge of their being stolen*, yet such person, if a White or free person, shall be proceeded against as receivers of stolen goods are proceeded against in England, and shall be taken and deemed and punished as accessory to the felony after the fact; and, if a slave, shall, on conviction before any justice of the peace, be whipped, not exceeding thirty-nine lashes †.

§ 27. "Any slaves guilty of quarrelling or fighting with one another; or of *insolent language or gestures to or of any White person*; or of *swearing, or uttering any obscene speeches*; or of *drunkenness*; or making, selling, throwing, or firing squibs, serpents, or other fireworks; or of cock-fighting or gaming; or of *riding on a faster gait than a walk, or of driving upon a faster gait than a gentle trot, on any road, street, or lane of the island*; or of cruelly whipping, beating, or ill-using any horse, mule, ass, or other cattle; or of *negligently driving any waggon, cart, carriage, &c.*; or of *ANY disorderly conduct or misbehaviour*; shall, on conviction before any justice of the peace, be whipped, at his discretion, not exceeding thirty-nine stripes; but the punishment of pregnant women shall be commuted to imprisonment †."

§§ 28—30. Any person screening a slave, guilty of any of the above offences, from punishment, shall forfeit not less than 5*l.* nor more than 25*l.* A like punishment, with the addition of a month's imprisonment in the common gaol, is assigned to all who permit

\* This amounts to a virtual prohibition of the culture even of cotton, ginger, and aloes; the only articles, it would appear, except provisions, which slaves are allowed to plant. This is the way in which Negro industry is encouraged in Barbadoes. See also § 21.

† The injustice of these enactments is so obvious as to need no comment.

‡ There is something irresistibly but most appallingly ludicrous in this specimen of colonial legislation. What should we say to an Act which should condemn all men, women, and children (pregnant women scarcely excepted), at the discretion of any of his Majesty's justices of the peace, to thirty-nine lashes of the cart-whip, or the cat-o-nine tails, on the bare breech, if they quarrelled, or used any insolent language or gesture, or swore, or spoke obscenely, or were drunk, or fought cocks, or gamed, or rode faster than a walk, or drove faster than a gentle trot, or were guilty of any disorderly conduct or misbehaviour? How admirably would the effect of Mr. Martin's Act be aided if the Barbadoes law were transferred to England, and thirty-nine lashes could be inflicted on every one who should whip, beat, or ill-use any horse, mare, gelding, mule, ass, or other cattle! The tender feeling of the Barbadians for the brute creation goes far beyond even his.

gaming to be carried on by slaves on their plantations; the penalty being doubled on each succeeding offence. Constables, under a penalty of 5*l.* and imprisonment for fourteen days, are not to permit slaves to game, or to assemble at huxters' shops, or dram shops, or any unlawful meetings\*.

§§ 32—40. Slaves wilfully striking or assaulting any White person shall suffer, for the first offence, not more than six months' imprisonment and thirty-nine lashes; for the second, transportation for life, or imprisonment and hard labour, at the discretion of the court. Slaves who "shall strike, or offer, or dare to strike, or use any violence towards their master or mistress, shall, for the first offence, suffer death without benefit of clergy, transportation, or such other punishment as the court may think fit to inflict; and for the second, *death without benefit of clergy.* Slaves guilty of treason or rebellion, or who shall plan, excite, raise, or in any way promote mutiny or rebellion, or any thing that shall have a tendency thereto, or prepare arms or offensive weapons; or hold any council for, or compass or imagine for, the purpose of rebellion; or commit any murder, rape, forgery, felony, or robbery; or wilfully set fire to any house, out-house, canes, cane-trash, cane-tops, cane-stalks, pea-trees, cotton, wood, or piles of lumber; or break into any house, by night or day, and steal thence above the value of forty shillings; or compass and imagine the death of any person or persons whomsoever, and declare the same by some overt act; or steal any live stock, or feathered stock, above forty shillings' value; shall, for every such offence, suffer death without benefit of clergy, transportation, or such other punishment as the Court shall inflict. Slaves committing any crime not here specified, which, if committed by a White or free person, would be deemed felony by the laws of Great Britain; or wantonly and wilfully killing, by poison or in any other manner, any cattle, horse, mare, mule, ass, sheep, or hog; or who shall pretend to supernatural powers, or shall use obeah for malicious purposes; or shall prepare poison, or cause it to be taken; shall suffer death without benefit of clergy, or such other punishment as the court shall think proper. Slaves stealing, or attempting to steal, under the value of forty shillings, any cane-trash, cane-tops, cane-stalks, pea-trees, cotton, wood, fruit, goods or chattels, or any ground provisions, shall suffer corporal punishment, imprisonment, and hard labour, at the discretion of *any one justice*; but if the slave was urged to the crime by his owner not giving him sufficient food, the punishment shall be proportionably lessened, and the master be subject to a fine of 50*l.*; or, if he cannot afford to feed his slave, the slave shall be taken possession of by the treasurer, and let to hire for the benefit of the

\* The surprise we cannot but feel at witnessing the intense indignation of the Barbadians against every thing which borders on indecorum in the untutored slave, will not be lessened, if we should have derived our estimate of their own moral conduct from the account given of it by their Agent and Advocate, Mr. Jordan, in his pamphlet against the Registry Bill in 1816.

owner. Slaves sentenced to death or transportation shall be valued, and the value, not exceeding 100*l.*, paid to the owner \*.

§ 41. The practice of divination, or fortune-telling, shall be punished in a slave by whipping, imprisonment, and working in the chain gang, at the discretion of *any one* justice; in a White or free person, by a fine of 10*l.*†

§§ 42, 43. Any person wilfully or maliciously killing or murdering, or causing to be killed or murdered, any slave, shall be adjudged guilty of felony, and shall suffer death without benefit of clergy. But “if any person shall unfortunately kill by accident the slave of another, he shall only be liable to an action at law for the value of the slave:” or if any slave shall be killed while committing, or attempting to commit, *any* robbery, theft, burglary, or arson, or in the *attempt* to maim or *injure* any White person, the person killing any such slave shall not be punished for the same, either criminally or otherwise †.

§ 44. “Whereas it is highly expedient to restrain owners and others, having the government and direction of slaves, from indiscriminately, wantonly, and cruelly exercising the power they possess over slaves; and as the cruelty of punishment by flogging necessarily depends much more on the *manner of inflicting it* than upon the number of stripes: *it is therefore most conducive to the ends of humanity*” [not to limit the number of lashes, but] “to trust to the discretion and good feelings of the justices before whom complaints shall be made:” it is enacted, that if any person commits, or causes to be committed, any wanton act of cruelty towards any slave, or shall wantonly, maliciously, and cruelly whip, beat, or bruise any slave, such person, on conviction before two justices, may be fined not more than 25*l.* (about 17*l.* sterling): and if the accuser cannot prove his complaint, yet if the marks of the cruelty appear on the person of the slave, and the slave makes a particular, consistent, and probable statement of the cruel punishment, then the accused shall be considered guilty, unless he shall prove, either by his own oath, or the oath of some credible witness, that the punishment was not inflicted by him, or with his knowledge: and if any slave make a complaint, which shall appear to be frivolous, vexatious, or unfounded, then the justices may give him thirty-nine stripes. Any person maiming, mutilating, or dismembering a slave, may, on conviction at the grand sessions, be punished by fine and imprisonment [no minimum is fixed], or either, as the court shall think fit; and if the maiming, &c. shall have been done by the

\* The obstinate maintenance of these Draconian laws by the Assembly, in despite of the remonstrances of the Council, sufficiently indicates the popular feeling of Barbadoes. The lust of multiplying capital crimes and felonies seems to have suffered no abatement among them.

† How forcibly, in this and a variety of similar instances, does Lord Bathurst's remark, quoted above, apply! (see notes page 11.)

‡ The Barbadians have fought a stout battle for the privilege of extinguishing Negro life since Lord Seaforth first proposed to make the murder of a slave felony, instead of being liable only to a fine of 15*l.*; even now, to extort protection to Negro life seems like wringing from them drops of blood.

owner, then the slave shall be taken possession of by the treasurer of the island, and forthwith *sold* [not made free, but sold] to some person of good and humane repute, for the best price that can be obtained for him, and the proceeds *paid over to the owner* or his creditors. For a second offence, the whole of his property in land and slaves shall be vested in trustees, to be managed for his benefit or that of his creditors, or to be sold, as the case may be, and paid to him or to his creditors; and he shall be declared incapable of holding the possession, or having any controul, management, or direction whatsoever over slaves.

§ 45. All punishments by whipping, whether by order of the magistrates, or by owners, &c. shall be inflicted with the like instrument used in his Majesty's navy and army, except by owners who may use a milder instrument. When female slaves are punished by whipping, the same shall be inflicted on the shoulders, in a *decent* manner, without any *unnecessary* exposure of the body of such female slaves; but pregnant women are to be punished in no other way but by confinement. The penalty for acting in violation of this clause is *5l.*

§ 46. Any person fixing an iron collar round the neck of a slave, or fixing chains, weights, or irons of any kind on his body or limbs, shall be punished by fine and imprisonment. Owners, however, may confine *refractory* or run-away slaves in iron or wooden stocks, or by other means of security; or may send them to labour in the chain-gang for six months at a time; provided it is made to appear, *by the oath of the owner or some other witness*, that the improper conduct of the slave was not caused by want of food or clothing, or cruel treatment.

§ 47. Any slave who shall *hear any other slave speak any words* TENDING to mutiny or rebellion, or shall know of his having gunpowder or arms in his possession for purposes of rebellion, and shall not immediately disclose the same, shall suffer death without benefit of clergy, or such other punishment as the court may think fit.

§ 48. Any slave giving information which shall lead to the discovery of plots, &c. and shall cause the conviction of the accused, shall be purchased by the treasurer and made free, and receive an annuity of *10l.* and be sent where he pleases\*.

§ 49. If any White or free person shall sell or give to any slave gunpowder or arms, or any poison or noxious drug or thing, they shall be fined, on conviction by two justices, not more than *50l.* And if the offence cannot be otherwise proved, then the declaration of the slave is to be evidence, and the party accused shall be deemed guilty, unless he clear himself by his own oath or that of some credible witness. And if the offender knew that the things sold or given were for illegal purposes, then, on conviction before the grand court, he shall suffer death without benefit of clergy, or transportation.

§ 50. Every slave who, in the case of invasion or rebellion, shall

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\* What a temptation is here given to the fabrication of plots, and to perjury! We shall hereafter meet with proofs of this.

by any means kill or destroy one or more of the enemy or rebels, shall be rewarded at the public expense, or made free, if his cost shall not exceed 100*l.*

§ 54. Any slave running away or absenting himself, or misbehaving himself to his owner, &c., and the owner not choosing himself to punish such slave, complaint may be made to a justice, who may order the slave to be whipped at his discretion, not exceeding thirty-nine stripes, or to be worked for six months in the chain-gang.

§ 60. "And be it further enacted, that from and after the passing of this Act the evidence of slaves shall, as heretofore, be taken and received, in all cases *against each other*." The evidence of slaves having a certificate of competency from the clergyman of the parish, shall be received in all cases which do not concern their owners, or affect the life of a White person. But if any White or free person shall associate with a slave in cock-fighting, gaming, getting drunk, &c.; or shall live with any slave as man or wife, then the evidence of any slave shall be received against such person\*. Slaves giving false evidence are to be punished as the person would be on whose trial the false evidence was given.

§§ 64, 65. Hanging by the neck shall be the only mode of executing slaves. All slaves sentenced to imprisonment "shall and may be worked in chain-gangs."

Such is the Act of which Mr. Moe, the Speaker of the Assembly, had such exalted conceptions, that he gave it as his opinion that the "two branches of the Legislature would *splendidly* close their labours; by forwarding that great work, completed, to the Executive; and, in the night-fall of their existence, to have given life to this Act would endear their remembrance to posterity." (B. p. 29.) What an extraordinary perversion of all just reasoning and just feeling is implied in such a sentiment, even if we make the fullest allowance for the horrors and abominations of the various Acts which this *splendid* Act, the fruit of so "many tedious hours," has superseded! Of course such an Act never can be sanctioned by the King. It is an outrage upon him even to offer it to his approval. And let it also be kept in mind, not only what this Act does, but what it omits to do. It does not remove any of the obstructions to the manumission of slaves, not even the tax of 50*l.*; nor does it enable slaves to purchase their freedom. It does not cause slaves to cease to be chattels, or prevent their being sold at the discretion of the owner, to the disruption of the dearest family ties. It provides no means of instruction for them, and does not abolish Sunday markets and Sunday labour. It does not protect them in the possession or transmission of their property; nor relieve them from the burden of legally proving their freedom when freed; nor legalize marriage among them; nor put an end to the driving system; or to the flogging of women; or to arbitrary punishments, to an almost unlimited extent, for any offence,

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\* This is a virtual interdict of all intermarriages between slaves and free persons.

or for no offence. In short, it scarcely advances one step towards giving the slaves a participation in the civil rights and privileges of British subjects. The very provisions, framed with a professed view to mitigate the rigours of their former state, avail but little to that purpose, while they serve to mark more unequivocally the depth of their degradation. Is it possible that Parliament can continue to delegate to such legislators its own powers and its own duties; or that they can refuse at length to interfere between 800,000 of our fellow-subjects and such revolting despotism?

Sir Henry Warde, in transmitting this Act to Lord Bathurst, observes, that "though it may not be so complete as your Lordship might wish it to be, yet very great and substantial improvements" (what then must have been the former state of the law?) "have been effected;" and he gives a hope of farther improvements. (B. p. 1.) They must be very large improvements indeed, to satisfy the just expectations either of Lord Bathurst or of the public.

But there is another chapter in the history of Barbadoes, into which, after the recent discussion in Parliament on the subject, it may now be less necessary to enter—namely, the persecution of the Methodists, and the destruction of the Methodist chapel\*. The subject was brought forward by Mr. Buxton, in a speech which gave an able and luminous exposition of the whole of that atrocity. The sense entertained of it, both by the Government and Parliament, could not be more strongly marked than it was in the speech of Mr. Canning. He reprobated the conduct of the Barbadians with the most unsparing severity—"It was unjustifiable, indefensible, a violation of law and justice, a defiance of all legal authority, a flying in the face of Parliament and of the country;"—and he moved, as an amendment, a resolution which was unanimously adopted by the House, "that they view with the utmost indignation that scandalous and daring violation of the law: and having seen with great satisfaction the instructions sent by his Majesty's Secretary of State to the Governor of Barbadoes, to prevent a recurrence of similar outrages, they humbly assure his Majesty of their readiness to concur in every measure, which his Majesty may deem necessary, for securing ample protection and religious toleration to all his Majesty's subjects in that part of his Majesty's dominions †."

The most remarkable circumstance attending this flagitious act is, the general concurrence of all ranks of the White inhabitants, if not in entirely approving what had been done, at least in manifesting no dissatisfaction with it. The magistrates, with scarcely an exception, seem to have exulted in the success of the outrage, and some of them to have even participated in its contrivance and perpetration. We have not heard that any of those magistrates, who were guilty of so scandalous a dereliction of their duty, have yet been removed from

\* See Papers C. and D.

† "An Authentic Report" of this interesting debate has been published for Hatchard and Son.



the stations which they had so criminally prostituted. It is instructive to compare the total impunity which has attended this insurrection of the Whites, with the massacres in cold blood which followed, in 1816, the insurrection of the Blacks in the same island.

#### IV. BERBICE.

In this colony nothing whatever appears to have been done in the work of reform. Governor Beard had pressed the subject at different times on the attention of the Council of the colony, but without effect. On one occasion he observes, addressing Lord Bathurst, "I have no hope of the Council redeeming their pledge in this respect," (namely, the abolition of flogging in the case of women,) "or acceding in any manner to the proposed measures of his Majesty's Government." And again: "I cannot discover any friendly feeling, on the part of the individuals composing the present Council, towards the measures intended by his Majesty's Government to be carried into effect in this settlement." (A. pp. 227—236.)

We have not heard what steps the Government have taken in consequence of this contumacy.

A return has been made to the House of Commons of the taxes and fees paid on acts of manumission in Berbice, from the 1st of January 1822 to the 13th April 1824, being upwards of two years and a quarter. In that time there were only twenty-five acts of manumission, being at the rate of about eleven annually; and the amount of taxes and fees alone paid upon them, exclusive of the cost of redeeming the slaves, was 11,564 guilders, being at the rate of nearly 40*l.* sterling for each. (E. pp. 9, 10.)

A motion was made, in the session of 1824, for "a copy of the record of the proceedings of the Fiscal of Berbice, in his capacity of guardian and protector of the slaves, with his decision in all cases of complaint of masters and slaves respectively against each other, and the punishments inflicted or the redress given in consequence of such complaint, from the 1st of January 1814 to the present time." To this motion a return has been made, the substance of which will appear at the close of this pamphlet.

#### V. BERMUDA.

No account whatever has been received from this colony of the slightest movement towards reform; although it will be seen by a reference to the Second Report of the Anti-Slavery Society (p. 144), that the laws of no colony more need reform than those of Bermuda.

#### VI. CAPE OF GOOD HOPE.

Since the Second Report of the Anti-slavery Society was printed,

a return from the Registry of Slaves has been laid on the table of the House of Commons, by which it appears that the slave population of the Cape of Good Hope, instead of being, as there estimated, only 25,000 (p. 157), amounted in the year 1823 to 35,271—viz. 20,401 males, and 14,780 females. (I.) A disproportion in the sexes so great as this, after the Slave Trade had ceased for 17 or 18 years, raises a suspicion that slaves may have been illicitly introduced.

In March 1823, Lord Charles Somerset, the Governor, issued a proclamation containing regulations for the religious instruction and treatment of the slaves. Compulsory labour on the Sunday is forbidden by it, under a penalty of not more than fifty or less than ten rix-dollars for each offence. Certain regulations are adopted with a view to the marriage and the baptism of slaves. Married slaves \* cannot be sold separately, or without their children † under ten, except (and why this exception?) by the decree of a court of justice. The evidence of *baptized slaves* (why the restriction?) is to be received in all cases whatsoever. Christian slaves (and why not all slaves?) are to pay no tax on manumission. Young slaves are to be sent for instruction to the nearest free-school, by such proprietors as are Christians (and why not by all?). The property of slaves is secured to them, and they are empowered to bequeath it. In cases of suicide, the owner of the slave inherits his property‡. The property of intestate slaves having no relations, is to go to a fund for redeeming female slave children. Owners, &c. are not to inflict on a slave more than twenty-five lashes for one offence, or to repeat the punishment until the delinquent has recovered from the former correction; and no punishment is to be inflicted by any other hand than that of the owner, &c., under a penalty of from fifty to one hundred rix-dollars. An owner killing a slave is guilty of homicide; maltreating him may be punished by fine, imprisonment, or banishment, and the slave may be sold for his account§, but so as not to come into the power of him or his relations. An overseer maltreating a slave will be punished as if he had maltreated a free servant. A slave whose complaint proves groundless shall be punished||.

## VII. DEMERARA.

The taxes and fees paid on manumissions in Demerara and Esse-  
quibo, from the 1st of January 1822 to the first of September 1824,

\* The right of marriage is confined to Christian slaves. Why may not Mohammedan and Pagan slaves be encouraged to marry, and protected in their marriages, as well as Christians?

† This rule should also extend to reputed marriages.

‡ The owner seems the last person who should inherit the property of a slave who commits suicide, acts of suicide generally proceeding from harsh usage.

§ Ought not the slave to be made free?

|| This is surely most objectionable. Why should the complaints of slaves be discouraged? To make the failure of proof a ground of punishment, unless malice or perjury can be proved, is repugnant to all our ideas of justice.

being two years and eight months—during which time seventy-six slaves only were manumitted, being at the rate of twenty-eight or twenty-nine in each year—amounted to 32,750 guilders, or at the rate of about 36*l.* sterling each. (E. pp. 5—8.)

In return to the motion for “a copy of the record of the proceedings of the Fiscals of Demerara, in their capacity of guardians and protectors of slaves, with their decisions in all cases of complaint of masters and slaves respectively against each other, and the punishments inflicted or redress given in consequence of such complaints, from the 1st of January 1814 to this time,” the first Fiscal, Mr. Herbert, thus writes: “There is no record of such proceedings at this office; and until the month of April 1824, there does not appear to have been even a memorandum of the proceedings held before the Fiscal, as a magistrate.” (E. p. 17.) Thus we learn that no record has been preserved of the judicial proceedings which have taken place, in cases most deeply affecting the happiness, if not the lives, of 80,000 of his Majesty’s subjects, prior to the month of April 1824. The only return made to this order comprises a period of not more than three months; namely, from June 16 to September 18, 1824.—The number of complaints in that time is twenty-five, of which seventeen are complaints of slaves against their owner or manager, and six of masters or mistresses against their slaves. The other two are complaints of slaves against each other. The complaints of the masters against their slaves appear to be in every case redressed, One man is reprimanded; two women are confined for a week; one man is punished (it is not said in what manner); of four men accused of ill behaviour, three are punished: and of twenty-six, belonging to the estate Maria’s Lodge, accused of running into the bush, striking work, and bad behaviour, four are punished—three men and one woman. It is added, that in this case the Negroes had no ground of complaint, and that the woman was very insolent, saying, “You can’t flog women.” (E. p. 18.)

The result of the complaints of the Negroes against their owners and managers is somewhat different.

1. The Negroes of Plantation Big Diamond complain of ill-treatment: three of the ringleaders are punished, “the complaint being unwarranted.”

2. The Negroes of Plantation Friendship make the same complaint: four are punished, and all are sent back severely reprimanded.

3. Negroes of the Plantation la Bonna Mere make the same complaint: it is pronounced frivolous and unwarrantable, and seven of them are punished.

4. The gangs of Plantation Belle Hope complain of ill-usage, hard work, starvation, &c.: the complaint is pronounced frivolous and ill-founded, and three of the ring-leaders are punished.

5. Izak, of Plantation Fowlis, complains of ill-treatment: he is punished.

6. George makes a like complaint: he is to go to his work, and to be punished.

7. Sally begs leave to be sold without her child : not allowed, and warned to take care of it.

8. Lucinda complains of various ill-treatment from the manager and overseer of La Jalousie : “ a made-up story ; is punished.”

9. Adam complains of his little sister being ill-treated : contradicted by the mother and child ; is punished in gaol.

10. A woman and boy complain of want of clothing, and ill-treatment : unfounded ; the woman confined eight days, the boy flogged.

11. A Negress complains of Mr. Cantzlaar, her master, that he was taking her into the country to punish her for nothing : “ she had misbehaved ; he was taking her into the country ; she ran away to complain :—returned to her master to act discretionary.”

12. Irins and another complain, that the manager of Plantation Kissingin does not give them enough to eat : “ frivolous—restored to the master.”

13. Caroline and some others of Plantation Groenseld complain of the manager ; Caroline, that he had flogged a Negro till he died ; and the rest, that he beat them with a tar rope : “ Caroline’s story unfounded ; six weeks’ confinement on bread and water, to be mitigated on contrition :” the rest showed no marks of violence : “ the tar rope was taken away, the Negroes satisfied, and the manager reprimanded.”

14. Peggy complains that her mistress, Miss Neil, treats her ill, and gives her no clothing : “ altogether unfounded ; is punished.”

15. Four Negroes of Plantation Northbrook complain against the manager of hard work, over work, and flogging : “ altogether unfounded ; punished, one man rather severely, one very slightly, two sent to work as convicts for a month.” “ Mr. Stuart, the master, is very kind and indulgent, but discipline and proper method wanting.”

16. Twenty-seven Negroes of the estate Land of Canaan complain of a want of clothing, lodging, food, comforts in sickness, &c. : “ just, except as to food ; fined the owner 10*l.* for every Negro ; ordered him to furnish the things required, and informed the Negroes to that effect.”

17. Negroes of Plantation Jans and Coree complain of the manager’s ill-treatment : the manager to be discharged. (E. pp. 18—20.)

In this return no part of the evidence is given ; we are left to conjecture what it may have been : the particular details are throughout suppressed ; nor is even the nature or extent of the punishment specified. Such a record is, in fact, of no use whatever. It affords not the slightest means of judging of the equity of the proceeding ; excepting that the very sententious brevity with which the entries are made excites a suspicion of a very summary mode of administering justice. One thing is clear, namely, that the general course of the Fiscal’s administration is calculated to discourage all representation of harsh usage on the part of the slaves, except perhaps in the very grossest cases. But facts are wanting ; and an exposition of the facts of each case ought to be peremptorily required : it is only in this way that we can get at the real nature of the slave system, in

its practical operation. If we had not obtained the particulars of the trials of the alleged insurgents in Demerara and Jamaica, we should not have suspected half of the gross perversions of justice which take place in the colonial judicatories, in the name and by the authority of the King. In this country, we all feel how essential publicity and the controul of public opinion are to the ends of justice: how much more are these required in the West Indies! "If it be asked," said the murdered Missionary Smith, in speaking of the cruel treatment of the slaves in Demerara—"if it be asked, Are there not authorities to whom the injured slaves can appeal for redress? The answer is in the affirmative. But many of the legally constituted authorities are themselves owners of plantations, following the same system, and perhaps, by means of their managers, practising the same abuses on their slaves. Judging from their conduct, it would seem that some of them consider it a greater crime for the Negroes to complain of their wrongs, than for the master to *inflict* them. The complainants are almost sure to be flogged, and frequently before the complaint is investigated, if listening to the exculpatory tale of the master can be called investigation; and even when the cause is so evidently on the side of the complainant that it can neither be denied nor evaded, the decision is so studiously concealed from them that they scarcely know whether the law is to protect the oppressed, or to indemnify the oppressor; nor can they always solve this problem from the result." How painfully does the return of Mr. Fiscal Herbert (and still more that of Mr. Fiscal Bennett, inserted at the close of this pamphlet) illustrate the statement of Mr. Smith!

The attention of the government of Demerara having been called, by Lord Bathurst, to the subject of a reform of the slave code of that colony, frequent discussions have taken place upon it; hitherto, however, without leading to any satisfactory result. It may be useful, nevertheless, to trace the progress of these discussions.

Sir B. D'Urban, the Governor, professing to draw his information from the planters, states his opinion, in May 1824, to be, that the Negro mind is still "agitated, jealous, and suspicious." "Many of the slaves are *described to me* as remarkably well informed upon all that passes in England and in the colonies, interesting to their views and condition: many of them read, most of them well understand what is read or repeated to them; they are (naturally enough) inquisitive, and anxious to learn whatever relates to them; and unquestionably they continue to procure very early information of all discussions in Parliament, in the newspapers and in the public prints." (A. p. 193.)—Such a statement as this proves this, at least, most unquestionably, that the Governor has been made the dupe of false information; and it will serve sufficiently to explain much in his communications, which would otherwise not have been explicable. It is somewhat surprising, so much depending upon accuracy, that the Governor should not himself have insisted on having these well-informed and erudite Negroes, these masters of intelligence from Europe, brought at once into his presence, and examined. He

would then have ascertained the depth of the delusion which had been practised upon him, by those in whose descriptions he confided\*.

Under the same influence, doubtless, which had been thus employed to delude him as to the state of intelligence among the slaves, he proceeds, in a letter of the 25th of June 1824 (A. p. 196), to use the arguments of the planter for departing, in the reform of their code, from the Trinidad model. To this letter, on the 20th of November 1824, Lord Bathurst replies at considerable length, and in most respects very satisfactorily. (A. pp. 219—226) He notices, in their order, the various provisions of the law framed by the Court of Policy which he says *must* be amended, and the various omissions which *must* be supplied, before that law can be promulgated.

1. The principle of forbidding the person entrusted with the office of Protector to possess plantation slaves, *must* be adhered to.—It would have been well had his Lordship added domestic slaves also.

2. It *must* be kept in mind, and expressed in the law, “that the total abolition of Sunday markets is contemplated, as soon as the measures shall have taken effect which are designed to remove the causes of its temporary inexpediency †.”

3. The employment of slaves on the Sunday is prohibited in the Trinidad Order: a *close* adherence to its rules is required in the present instance.

4. The offence of carrying a whip in the field *must* be punished, not only by mulct, but, as in the Trinidad Order, by fine and imprisonment.

5. It is absolutely *necessary* to retain the provision which requires witnesses of the punishments inflicted on slaves.

6. The abolition of the punishment of females by the whip, is an enactment of which *no* qualification can be admitted as relates to adults.

7. If a slave, when produced in court, shall exhibit traces of recent flogging, and shall state probable grounds for believing the punishment to have been unlawfully inflicted, the owner *must* be required to disprove the allegation, otherwise he must be convicted of the offence.

8. The record of punishments *must* be kept, and the returns made once in every half year, on oath, as in Trinidad.

9. The draft of the Court of Policy having been silent on the subject of the evidence of slaves, on the ground that such evidence is by the Dutch law admissible in all cases, Lord Bathurst *requires* that the

\* The want of knowledge, the barbarism, and the total incivilization of the slaves, have hitherto formed one great plea for keeping them in slavery. When it suits the varying purposes of the planters, the same men are acute, intelligent, penetrating, and capable of surmounting difficulties of the most formidable kind in the pursuit of information.

† The reasons are given in the Appendix to the Second Report of the Anti-slavery Society (p. 72) for conceiving that this delay in the abolition of Sunday markets is altogether uncalled for, and not justified by any one of the reasons on which it is founded.

omission should be supplied, and that the course pursued in the Trinidad Order should be adhered to.

10. "The marriages of slaves are proposed," says his Lordship, "to be regulated by provisions substituted for those of the Order in Council for Trinidad; but which will, I am sure, upon consideration, appear so inadequate, (and one part of that proposition is, in truth, so open to ridicule) that I am persuaded the Court of Policy will at once acknowledge the expediency of a stricter conformity to the Order in Council."

11. A strict adherence to the Trinidad Order in Council is also *necessary* in regard to the acquisition and disposal of property by slaves. Lord Bathurst approves of the proposed prohibition of slaves possessing fire-arms and ammunition; but sees no sufficient reason for not allowing them to possess the exportable produce of the colony\*.

12. Lord Bathurst wholly disapproves of that existing law of Demerara, by which the consent of the Governor and the Court of Policy is

\* The part of the draft to which Lord Bathurst here objects, states that slaves may, but with the approbation and consent of their owners (a qualification which obviously altogether nullifies the *right* of property), possess property of any kind, and dispose of it by bequest or otherwise, save and except fire-arms and ammunition, and such colonial produce as is prohibited to be sold or bartered by the eleventh article of the existing law. On turning to that article, we find it to be as follows:—

"All slaves, as well males as females, are prohibited from selling or bartering, with any one whatever, any produce,—sugar, coffee, cocoa, indigo, rokow, syrup, rum, bottles, or flasks, or any thing else; being permitted to sell only vegetables and ground provisions, the produce of their gardens, or stock which they are allowed to rear; on pain of being severely flogged on the plantation to which they belong, for the first offence; and for the second to be punished by sentence of the court, according to the exigency of the case." (A. p. 210.)

Lord Bathurst might well question whether any sufficient reason was assigned for making, by a side wind, such a cruel and preposterous enactment as this a part of the new and ameliorated slave code. But such is, in point of fact, the cruel and preposterous law of every slave colony in his Majesty's dominions; and Lord Bathurst himself, we fear, has inadvertently given it an indirect sanction, in his correspondence with the Governor of Trinidad. The passage to which we allude is contained in a letter to Sir R. Woodford, dated 24th July 1824, and is as follows:—

"In the papers before me, a construction is put upon a part of the Order in Council which is warranted by none of its provisions. It appears to be doubted whether the permission, conveyed to slaves, to purchase and hold land, does not indirectly revoke the existing law of Trinidad, whereby slaves are prohibited from cultivating for their own profit any of the staple commodities of the island. In granting the slaves the power of acquiring land, the Order does not, of course, exempt them from any existing restrictions as to the mode in which land might be cultivated by persons of their class and condition."—Now as the restrictions in Trinidad and Demerara are substantially the same, it appears that there is as good reason for questioning in the former as in the latter case the propriety of prohibiting slaves to cultivate or to possess exportable produce. In fact, the principle on which the legislators of the West Indies have uniformly proceeded, of absolutely prohibiting slaves from raising any exportable produce whatever, is one which deserves the very utmost degree of reprobation, and which, as the attention of Government has at length been called to it, will, we trust, in every case, meet with their decided and unequivocal rejection.

rendered necessary to every act of manumission, to which even the owner of the slave is consenting, and he cannot therefore allow such a principle to be introduced into the new code. It is *impossible*, he says, to admit of this, or indeed of any other departure from the provisions of the Trinidad Order in Council on this head.

13. Another important regulation, which postpones the payment of the Protector's salary till he shall have made his periodical returns, has been omitted in the draft, but, his Lordship says, *must* be strictly adhered to.

14. The clause proposing to vest in the Governor a power of suspending the proposed law, is declared to be perfectly *inadmissible*.

Lord Bathurst adds, that he trusts the Court of Policy is prepared to adopt these suggestions; but, if not, "it is necessary that I should explain to you, that in such an event, however desirous his Majesty's Government may be that the origination of this measure of melioration should proceed from the Court of Policy, they would feel it their paramount duty to issue, without further delay, an Order in Council for the purpose of carrying them into effect."

The whole of this dispatch is most highly creditable to Lord Bathurst; and we trust to see, ere long, the important principles which it develops carried into full effect throughout all his Majesty's slave colonies.

But what has been the practical result of these instructions of Lord Bathurst? This we learn from the Additional Papers (B.) presented to Parliament by his Majesty's command. On the 14th March 1825, the Governor transmits to his Lordship the amended draft of an ordinance; in which, however, there are such material deviations from Lord Bathurst's instructions as forbid him from promulgating it without a further reference to England. What course Lord Bathurst may have pursued in consequence of this further reference, does not appear in these papers. We cannot doubt that it has been marked by the same firm adherence to just principles which distinguished his former communication, of which we have already given the substance. In the mean time, it will be of essential use to give an abstract of this last and highest effort of the Demerara Court of Policy in the work of legislative reform, adopted under the influence of all those powerful and constraining motives which the dispatch of his Lordship, last quoted, must have conveyed to their minds. The following is the substance of their draft. (B. pp. 269—279.)

§ 1—6 appoint the First Fiscal Protector of Slaves\*; disqualify him from holding any plantation or plantation slaves *within the colony* †, or acting as trustee, guardian, executor, attorney, manager, &c. of slaves; and require him to perform his duty in person.

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\* The union of these two offices appears to be utterly incompatible, the Fiscal being the public prosecutor.

† He ought not to hold slaves *any where*, or to have been a holder of slaves, who merely renounces his property in them for the sake of his office.



§ 7 appoints the Deputy Fiscals, or Burgher Officers, Assistant Protectors\*.

§§ 9, 10, forbid the compulsory labour of slaves on Sunday, under a penalty of 600 guilders; but this exemption from labour is not to authorize them to leave the plantation to which they belong, without leave; or to exempt them from the operation of the existing laws; or to prevent the distribution of their weekly allowance being made on that day; or to extend to the following excepted cases—viz. domestic service, attendance on cattle or live stock, attendance on hospitals, burying of the dead, preventing or remedying breaches in dams, conflagrations, and all cases of the same general nature, and referable to the same principles; all labour for the preservation of the crops, as boiling-off the cane-juice expressed before sun-set on Saturday, turning and drying of coffee or cotton, picking of cotton and coffee during crop; for which last service wages, to be fixed by the Protector, shall be paid †.

§ 11. Until effectual provision shall have been made for the religious instruction of the slaves, when Sunday markets shall be wholly abolished, these shall be continued until eleven o'clock in the forenoon ‡.

§ 12. A person carrying a whip, or any other instrument of punishment, in the field or elsewhere, either as a badge of authority or as a stimulus to labour, shall incur, if free, a penalty of 600 guilders, or be imprisoned for not more than six months; and if a slave, shall incur corporal punishment.

§ 13. On male slaves, when punishment by the owner, &c. is necessary, it must be inflicted without cruelty or passion, to no greater extent than twenty-five lashes, and not till after sun-rise of the day next following that of the offence, in the presence either of one free person, or of six slaves (in which case the owner, &c. must prove he could not procure a free witness within twenty-four hours), to witness the infliction, besides the person ordering it. Punishment shall not be repeated on the same day, nor until the delinquent has recovered from former punishment §.

\* No restraint is imposed on the Assistant Protectors as to holding slaves. This is a most important defect. Dr. MacTurk, for example, will now be, ex-officio, an Assistant Protector of slaves.

† Wages are allowed by the Court of Policy only in the case of picking coffee or cotton; but this is a labour which ought on no account to be allowed to be carried on on a Sunday. With as much reason, nay, with more, might it be allowed, in this country, to make hay or reap corn on a Sunday, or to perform any other harvest work. Such a practice is defended on a pretence which is altogether unfounded; namely, that coffee and cotton ripen so suddenly that they would be totally lost if not immediately picked. The other operations spoken of ought unquestionably to be paid for. Why should persons mend a dam, or turn coffee or cotton, on a Sunday, without being paid for their labour? Again: what are those existing laws, which are alluded to, but not specified, and which are to modify all this exemption from Sunday labour?

‡ See the Second Report of the Anti-slavery Society, p. 72.

§ We greatly regret that Lord Bathurst should have given way as to the substitution of six slaves for one free person as witnesses of punishment. It

§ 14 prohibits the flogging of female slaves absolutely, under a penalty of 1400 guilders, or imprisonment from one month to six months; and substitutes the punishments, as in Trinidad, of solitary confinement, with or without work; and of stocks, and distinguishing dresses, and marks of various kinds; all which *may* also be substituted in the case of males. Confinement for more than twelve hours can be ordered only by the Fiscal, who may extend it, together with labour in the tread-mill, to a month, or otherwise proceed *according to the existing laws of the colony* \*.

§ 15. A record book is to be kept by every person having a gang of slaves exceeding six †, and on every estate; in which must be entered, within forty-eight hours (why this delay?), the punishment inflicted on any female slave, or on any male slave exceeding three lashes; the nature of the offence; the time and place of punishment; the names of the persons ordering it, and of the persons witnessing it, and the number of stripes actually inflicted. False entries, erasure, &c. are to be punished with a fine of 300 guilders, or imprisonment for not more than three months. A copy of this record must be delivered every six months, on oath, under a penalty of 300 guilders.

§§ 19, 20, are intended to regulate the marriage of slaves, with the permission of the owner, &c.; such owner, however, if he refuses permission, being to be called upon by the Protector to shew good cause for so doing. They are to be married without fee or reward, by any minister either of the Church of England, or Scotland, or Holland, or any licenced teacher within the colony; a register of the same being kept: "Provided always, that such marriage shall *in no manner* confer on the slaves *any* of those civil rights which by marriage are acquired by persons of free condition, nor subject such slaves to any penal infliction, the effects of which might destroy the rights or injure the property of their owners †."

is a dangerous innovation, to make the witnesses persons so wholly dependant on the punisher as his own slaves must be; and to suppose that a free person could not be found to witness a punishment, if not in 24 hours yet in 48 or 72 hours (and where is the evil, in such a case, of delay?), is absurd. Besides, it is in the power of the planters to add to the number of free persons in the colony.

\* It is impossible not to be extremely jealous of such vague and undefined references to existing laws—laws existing somewhere else than in this new slave code—because it is impossible to know to what extent oppression may be sanctioned by such loose and sweeping terms.

† No good reason can be given, why, if persons not possessing more than six slaves should not be subject to this regulation, they should not refer the offences of their slaves to the magistrate. Persons in low circumstances are both less likely to restrain their passions, and are less liable to observation, than others. The very circumstances, therefore, which render it expedient to exempt the owner from the necessity of keeping a record-book, and making a due return of its contents, make it still more expedient to exempt the slave from liability to punishment, at least beyond three lashes, without the interference of the magistrate.

‡ The Court of Policy say that they have laboured to obviate the diffi-

§ 21. Every female slave *who is faithful in marriage*, shall receive from her owner, &c., for her first child twelve, and for every other fifteen guilders; and when she has six children *living*, she shall be exempt from labour in the *field*, or any other than light work, under a penalty of 300 guilders. (Why not made free?)

§ 22. Owners of estates shall provide food for slaves at the rate of one acre for five Negroes, from which a reasonable weekly allowance shall be made them; or shall otherwise purchase or procure a sufficient supply; and shall provide them with proper clothing; under a penalty of 90 guilders for every acre deficient, and of 150 for every slave not properly provided for.

§ 23. The hours for *field work* of slaves, shall be from six o'clock in the morning till six o'clock in the evening, two hours being allowed them during that period for rest and meals; under a penalty of 300 guilders\*.

culties which must arise from adopting the Trinidad code, which makes the marriage of slaves, "to all intents and purposes, binding, valid, and effectual in law,"—"but that the civil rights acquired by marriage are so numerous and complicated, that it is found impracticable to adopt or modify this expression." Lord Bathurst, in his letter of the 24th November 1824, had intimated that the particular ill effects which were apprehended from the rights of marriage should be specified, and especially guarded against. The Court of Policy have not chosen to comply with his Lordship's suggestion; but repeat the same vague assertion, in the same vague manner, without any proof or specification whatever. Why could they not have stated what the various civil rights are which marriage confers; and which of these rights they deem wholly incompatible with the slavery of Demerara, and with their own rights and property as masters? This at the least they are bound to do.

\* Now, in this apparently precise enactment, there is nevertheless much ambiguity.—"The hours of *field-work*." But is there no species of labour but that of field-work? Pulping coffee, or ginning cotton, or grinding and boiling sugar, is not field-work. Again, collecting grass for the horses, cattle, and live stock, is not deemed field-work, and yet it forms a cruel aggravation of the daily task. The practice is thus described by the Missionary Smith:—"Soon after sun-set (which is always within about fifteen minutes of six), they leave off work in the field; and each one, having cut or picked a bundle of grass for the master's horses, which serves instead of hay, an article not made in the West Indies, they bend their course homewards. They all carry the grass to a certain spot, forming a general muster, and there remain, in the open air, often shivering with cold, till the cracking of the whip informs them they are to take it to the stable, which is generally at about eight o'clock. If there be no other work to do, they may then go home. I say, if there be no other work; for, after toiling all day, many of the slaves are frequently compelled to work half the night," &c. But if any one is disposed to question Mr. Smith's authority, he has only to refer to the Minutes of the Trial of the Insurgents in 1823, published by Mr. Herbert, the fiscal, and Mr. Wray, the judge, in order to find the practice incidentally recognised as of regular occurrence. Now of this practice what says Dr. Collins, a physician and planter of St. Vincent's, the author of the work called "The Professional Planter," a work of high authority, even with West Indians? He says, "The neglect of grass-picking is another frequent cause of punishment. On some estates it draws more stripes on the Negroes than all their other offences put together, as the lash seldom lies idle while the grass-roll is calling over." He strongly advises that the practice should be entirely abolished, "because it encroaches much on the

§ 24 provides for the employment on estates of a medical practitioner, and the erection of a hospital, under the penalty of 600 guilders.

§ 25. If any slave dies suddenly, information shall be given to the Protector or Assistant Protector, or, if this cannot be done, to some respectable inhabitant; who, attended by a medical practitioner, shall inspect the corpse and certify the result.

§ 26. Husband and wife, and children under sixteen years of age, are not to be separated by *judicial* sales.—There is no restraint imposed on any other kind of sale.

§§ 27, 28. No slave shall be deemed incompetent to purchase, acquire, possess, hold, enjoy, alienate, or dispose of property, as money, cattle, implements of husbandry, household furniture, or other effects of *such like nature*, honestly and lawfully acquired, save and except arms and ammunition, and such colonial produce as is prohibited to be sold by the existing law (being, in fact, all exportable produce). But it shall not be lawful for any slave to keep any stock or animals on the land of his owner, without the owner's consent; and if he should refuse to remove them when required, the owner may destroy them. Slaves may sue their debtors, through their owners, or through the Protector. Owners, or other free persons, unjustly withholding the property of slaves, shall on conviction be made to restore it, and be further liable to fine and imprisonment, at the discretion of the court. Savings' Banks shall be established, in which slaves may deposit their property, being at liberty also to bequeath their deposits\*.

§ 29. No duty, tax, or fee shall be taken on the manumission of slaves, except a fee of 22 guilders for registering the deed, to be paid out of the colony chest, under a penalty of from 100 to 1000 guilders.

§ 30. Any owner desirous of manumitting a slave shall give notice of his intention to the Protector; and if the Protector thinks the slave likely to become a burthen to the public, he is then to regulate the amount of the security or deposit to be given. He is also to give public notice of the intended manumission, with a view of enabling any one, having a right so to do, to oppose such manumission; and in case of an action, the slave shall be defended in such action by the Protector, and the decree of the court of justice shall be binding.

time allotted to their own use." See also Watson's Defence of Methodist Missions, for further proofs of the cruel and pernicious effects of this practice, which still subsists, and, in spite of such a clause as this, will still subsist, in Demerara.

\* The Trinidad Order empowers the slaves to hold land; the Demerara Draft does not. This is a most material omission. The Court of Policy defend the clause which forbids slaves to possess exportable produce, by the passage in Lord Bathurst's letter to Sir R. Woodford already alluded to. (See note, p. 35.) If this clause be maintained, farewell to all hope of productive industry and accumulation on the part of the slaves, whether in Trinidad or Demerara.

If there be no opposition, then it shall be in the power of the owner to manumit his slave\*.

§§ 31, 32. The law of evidence is pretty much the same as in the Trinidad Order in Council, except that in some respects it improves upon that Order. It does not exclude the evidence of slaves in civil suits in which the owner is concerned, nor in cases where a White person may be charged with a capital offence. This blot in the Trinidad Order is avoided in the Demerara Draft.

§§ 33, 34. The salary of the Protector shall be in lieu of all fees; and if he shall take any fee or perquisite, he shall pay a fine equal to twice the amount, and be disqualified for the office of Protector. His salary is to be paid him half-yearly, but not until he shall have made all the required returns; namely, returns of the number and particulars of all actions and suits, or criminal prosecutions, in which he was concerned as Protector, with the accounts of the Savings-Banks, the records of punishments, &c.

§ 35 appropriates the fines and forfeitures.

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\* This enactment is as far removed as possible from the spirit and tendency of the corresponding enactment of the Trinidad Order. That order enacts, that if any slave shall be desirous to purchase his own or her own freedom, or that of wife or husband or child or brother or sister, he may do so: and if the owner be unwilling, or be unable, from mortgages, or minority, or lunacy, &c. &c. to grant his manumission; or if the owner demand a greater sum than his fair and just value; then the chief Judge shall summon the parties before him; and if either of the parties shall refuse, or be unable, to effect such manumission, then one appraiser shall be appointed by the owner, and another by the Protector, and an umpire by the chief Judge, who shall value the slave; and, on the payment of this appraised value, the slave shall be manumitted; such value being lodged in the treasury of the island, to abide the claim of the party lawfully entitled to the slave. The Court of Policy enter into a laboured vindication of their refusal to adopt the principle of the Trinidad code in this respect. "The court have felt it to be beyond their power" "to give their sanction to any measure which could, even by construction, imply an acknowledged right on the part of the slave to demand his freedom, *invito domino*.— They feel themselves called upon to avow the principle, that *they have not the right* to invade the property of their fellow-colonists, by admitting that they can in any manner be deprived of it contrary to the law by which it is secured to them, and which his Majesty has been graciously pleased to guarantee by the Articles of Capitulation" (as if articles of capitulation were at all binding subsequently to the cession of a colony in full sovereignty). "The Spanish law allows a slave to enfranchise himself by purchase: the Dutch law gives no such right whatever to a slave. Here the interest of an owner in his slave is that of fee-simple absolute." "Let the Spanish law be what it may, it can never alter the existing law of this colony." "Slaves in this colony are chattels, as much as any other moveable property." "Neither is it the law that proprietors can be forced to dispose of their property, real or personal, when its value is offered to them by others. To give to the slave the right of purchasing himself, against the will and consent of his owner, will annihilate the right of the owner, and confer on the slave a power which no other person possesses." An attempt is then made to point out the injurious effect, even to the slave himself, of thus giving him the power of purchasing his freedom; but it is too absurd to require exposure. It is, in fact, an attempt to satisfy the people of England that slavery is a much better thing than freedom. The time is gone by for such fooleries.

§ 36. If any person shall be twice convicted of inflicting on a slave a cruel and unlawful punishment, he shall incur double the penalty of cruelty before mentioned, and shall be declared incapable of having the management of any slaves within the colony; and if he is the owner, his estate shall be placed under curators, who shall manage the same; the owner, however, being at liberty to sell or dispose of it.

§ 37. Nothing in this order is to be construed as extending to repeal any of the regulations respecting the treatment of slaves enacted the 23d March 1785, except in as far as they may be repugnant to these regulations\*.

There is one entire omission in this draft: it is that clause which is numbered 21 in the Trinidad Order in Council, and which ordains that if any owner, &c. is prosecuted for cruelly and unlawfully punishing a slave, and if the slave alleged to be illegally punished is produced in court with the marks upon him of recent flogging or laceration, and such slave shall make a consistent statement of the circumstances, then the owner shall be bound to prove, either that the punishment was not inflicted by him or with his consent, or that it was a lawful punishment, and was lawfully inflicted; and, in default of such proof, shall be adjudged guilty of the offence imputed to him. The Court of Policy labours hard to prove that it would be radically unjust to adopt this course of proceeding (p. 268); but Lord Bathurst will probably find as solid a reply to their reasoning on the subject, as he has given to the remonstrance of the Trinidad planters against the same regulation.

#### VIII. DOMINICA.

The legislature of Dominica was for a time very vehement in its denunciations against the efforts of the abolitionists to ameliorate the condition of the slaves, and took pains to produce a general confederacy of the West-Indian colonies for the maintenance of the whip in its plenitude of power. Of late it has been remarkably quiescent. The Parliamentary Papers barely notice its existence. In August 1824, the Governor, Nicolay, says he has reason to believe that the legislature will, on its meeting, carry into effect Lord Bathurst's wishes. His only subsequent communication is dated the 28th March 1825, and is as follows:—

“It is matter of much regret to me, that I am still unable to report that the legislature of this colony has passed an act for the melioration of the condition of the slave population, though I have repeatedly and strongly urged the subject, both by public message and other means.

“A bill to that effect was long ago introduced; but, after much discussion, it has not been completed. A new bill is to be brought in immediately; and I trust no farther obstacles will arise, though I

\* See above, second note p. 30.

greatly fear it will not comprise all the wished-for amendments in the slave laws ; for I plainly perceive, even among the best disposed of the proprietors, an apprehension, that, by going to the full extent that has been recommended, they may relinquish what they consider to be necessary authority over the slaves.

“ The only consolation under these delays, is the conviction, that, throughout this island, the slaves in general are contented and happy, and their treatment is certainly very good.” (A. pp. 95, 96.) So, doubtless, the planters tell him.

#### IX. GRENADA.

The history of the progress of reform in this colony will also occupy but a very narrow space. On the 5th of September 1824, the President, Paterson, writes, that an amended slave-code had been brought forward in the legislature, and would be further considered in October. The legislature met in October, but postponed the consideration of the subject till November. On the 2d of December, President Paterson states, that the Slave Act had been impeded by the great difference of opinion existing on some points ; but he still hopes to see the work completed. The slaves he states to be perfectly quiet and contented, and the planters are anxious to make them so ; he himself, of course, being one of them. On the 5th of March 1825, he writes, that the Bill had at length passed the Assembly, and was before the Council ; but nothing further has since been communicated on the subject. (A. pp. 97—100.)

#### X. HONDURAS.

No report has yet been made to Parliament of the final fate of the Indians unjustly and cruelly enslaved in this colony, and whom Colonel Arthur had endeavoured to restore to the enjoyment of their liberties.

In this colony there are only 2,600 slaves, and 2,100 free persons of all descriptions. The peculiar circumstances of the colony render slavery much less oppressive there than in most other colonies.

Captain Maclean, a Naval officer, makes a report (see Paper G.) respecting this colony, dated 2d March 1824, in which, after praising the treatment of the slaves, he observes, that he has recently read reports which contradict his statement, and which he believes to be wholly erroneous. But this is rather a rash and unwarranted assertion on the part of Captain Maclean ; the acts of cruelty, to which he alludes as unfounded, being as satisfactorily proved, by incontestable evidence, as the fact which he affirms of the general good treatment of the Honduras slaves when compared with that of other colonies. We believe both to be true.

## XI. JAMAICA.

The progress of reform in this island has not been such as to require much detail. Every one, who is cognisant of the course of public events, must be aware of the determined hostility evinced by the legislature of Jamaica, in particular, to every proposition, emanating from this country, for ameliorating the condition of the slaves, with a view to their ultimate emancipation. The violence of opposition manifested by the Assembly has been only exceeded by the still more unmeasured resistance of the parish vestries, and the absolute rage of the journalists. The people of Jamaica appear to have imagined that the loudness of their clamour would have the effect of shaking the concurrent purpose of the Government and Parliament and People of England, with respect to the reform and ultimate abolition of the slave system. They little know either their own weakness and insignificance, or the power of public opinion in this country, if they suppose that by all their ravings they can materially retard that purpose. It is fixed, and must ere long render absolutely nugatory every opposing effort.

On the meeting of the Jamaica legislature, in November 1824, the Governor, the Duke of Manchester, seemed to indulge an expectation that some progress would have been made in the reform of the slave system. A Bill was introduced, admitting the evidence of slaves, under certain regulations; and, though "some little clamour was at first excited" by it, yet his Grace entertained a hope of its passing. But even this slight indication of a better spirit was of short duration; for the Bill in question was lost, on the second reading, by a majority of thirty-four to one; and the Duke of Manchester, when on the 24th of December 1824 he acquaints Lord Bathurst with the termination of the session, feels himself obliged to express an apprehension that his Lordship will be dissatisfied with the proceedings of the Assembly. He seems, indeed, to attach some importance to two Acts, passed in the course of the session, "as affording protection and encouragement to the slaves; and still more so as indicating an intention, on the part of the Assembly, of doing more hereafter." (A. p. 11.) They will do more hereafter, we have no doubt; but it will only be when they are compelled to do it. As for the Acts in question, they confer benefits directly on the master; but on the slaves only indirectly and remotely, through him. Slaves had hitherto been exempt from all mesne process on Sundays, not on account of any debts of their own, for they had none, but on account of their master's debts. Sunday, therefore, was the only day on which a needy planter (and nine-tenths of the resident planters are needy men) could permit his slaves to carry their surplus provisions, or on which he himself could send them with his produce, to market, without the imminent risk of their being seized by the



marshall. This exemption, as it respects slaves, is extended, by the Act of last session, to Saturday as well as Sunday. Now this exemption, which the West Indians would represent to be intended as a boon to the slave, is in fact a still greater boon to the master. It is the master's property in the slave, and that alone, which this law protects; and it is against the effect of the master's insolvency, and not against that of the slave, that it guards. The Act is as follows:—"Whereas, in these times of general distress, *many planters are greatly indebted, and by reason of such debts are unable* to allow their slaves to go abroad upon any other than the Sabbath-day; and whereas it is expedient to render the Sabbath as much as possible a day of rest, and for religious worship; and whereas it would be right and proper that slaves should be protected in some other day in the week, beside Sunday, from being taken or levied upon for debt, under any process issuing out of any of the courts of justice in this island, or by collecting constables for taxes; it is therefore enacted, That, from and after the 1st day of January next, it shall not be lawful to make any levy upon any Negro, or other slave, on Saturday; and that they shall be exempt from all such process, and also from levies by collecting constables, on that day, the same as on Sunday." (A. p. 12.) The planters of Jamaica, therefore, have in fact availed themselves of the clamour for reform to raise additional barriers against their creditors, by an Act which, we admit, to a certain degree protects the slave also, but which, at the same time, does so no farther than the planters shall please. The slave cannot legally pass the bounds of his master's estate without his written permission.

The other Act, for which the legislature of Jamaica desire credit, is one for "*removing Impediments to the Manumission of Slaves by Owners having only a limited Interest,*" (A. p. 13)—not for removing impediments in the way of the slave who wishes to obtain his freedom, but in the way of the master who, from interest or favour, may wish to give it. This vaunted Act, therefore, goes no farther than the point at which the planters of Demerara are resolved to stop, if they can prevail on Lord Bathurst to permit them to do so. (see p. 43.)

At the close of the session, a Report was made to the House of Assembly, by a Secret Committee "appointed to inquire into the rise, progress, and means used to suppress the late disturbances; and whether any and what Negroes have behaved themselves faithfully and meritoriously, to their owners and the public, during such disturbances; and whether any of them deserve rewards for the same." (A. p. 15.) This Report contains matter well worthy of notice. It begins with enumerating the different disturbances among the slaves which had taken place—namely, in St. Mary's, St. George's, St. James's, and Hanover. Each of these, it is asserted, had for its object, on the part of the slaves, to obtain their freedom, and to destroy the White inhabitants. These disturbances, it is further affirmed, did not originate in any cruel treatment or privation which

the slaves experienced \*; the very insurgents themselves declaring, at the place of execution, that they were contented and happy till they imbibed the notion that the King and Wilberforce had made them free †;—an idea which is said to pervade the island, and to have taken full possession of the Negro mind; producing a totally altered behaviour, excluding the former feelings of subjection, and of respect and affection for their masters, whom they now regard as their bitterest enemies. These evils the Committee affirm to have been aggravated by the frequent renewal of discussions in the British Parliament respecting slavery; the effect of all which, they predict, will be, that a flame will be kindled, which, if ever extinguished, will only be quenched in blood. This state of things is represented by the Committee as forcing the master to relinquish all attempts to ameliorate the condition of his slaves, lest they should be regarded as compulsory, and thus excite feelings of triumph in the Negro bosom. They deprecate, therefore, as impolitic, the discussion at this particular season of any question relative to the slave code;—a view of the subject which appears to them to be greatly strengthened, in the case of Jamaica, by the proximity and the circumstances of Hayti. The cost caused by the late disturbances they state to have amounted to 15,270*l.* 12*s.* 11½*d.* This expense, occasioned entirely by the agitation of the question of slavery by Mr. Buxton, they think ought to be defrayed by the mother country; and they therefore recommend that an application should be made to the British Government, to reimburse the island for the expense already sustained, as well as amply to indemnify it against future losses. The Committee go on to recommend that freedom should be given to certain slaves, and pecuniary reward to certain free Persons of Colour, who had rendered essential services to the island by the discoveries they had made, and the evidence they had given, respecting the different insurrections. Two, however, of those witnesses, on whose unsupported testimony many of the alleged insurgents had been convicted and hanged, or transported, Charles Mack and John Baptiste Corberant, and to whom freedom and reward had been promised—these two witnesses, notwithstanding their signal and efficient services, the Committee recommend to be sent off the island, “as persons of a most dangerous character to remain at large in this colony.” The Report thus concludes: “The Committee cannot draw this Report to a conclusion, without bestowing its mead of praise on the zeal and alacrity shewn by the regulars in Hanover, and by the militia regiments throughout the disturbed districts, both by the Whites and free People of Colour. The con-

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\* This is contrary to the evidence in the only case of disturbance which really occurred, namely, that of Hanover.

† This statement is wholly unfounded, at least as it respects any of the persons executed; no allusion whatever to any confession of the kind having appeared in the newspapers of the island, or being to be found in the report of the trials.

duct of the latter evinced a warm interest in the welfare of the colony, and every way identified them with those who are the most zealous promoters of its internal security. And the Committee also think it right to notice the good conduct of the Maroons in Charlestown, St. George's."

Such is the Secret Report of the Assembly \*, on which we proceed to make a few brief observations.

1. With respect to the alleged disturbances, our conviction, after a careful perusal of the whole of the evidence, is, that no design of insurrection or rebellion was formed by the Negroes, in any of the cases specified in this Report. This we hope hereafter to prove. In the mean time, it is obvious to remark, that, in the then existing state of the question respecting the reform of the slave system, nothing could have occurred more seasonably, for the purpose of exciting prejudice against the measures of the abolitionists, than the discovery of an insurrection. It was impossible not to perceive that this was the very thing wanted to produce exasperation in the colonies, and a strong disinclination to interference at home. It had been affirmed by the colonists, that insurrection would inevitably follow the agitation of this question: their representations, they naturally felt, would have been discredited, and the efforts of the abolitionists encouraged, had this confident prediction been falsified. Any one, therefore, who might be unprincipled enough to pander to the eager appetite for plots and conspiracies, naturally prevailing among the colonists at such a time, was sure to reap advantage from occupying himself in their fabrication. It is not in Jamaica alone that such a result was to be apprehended: the history of England sufficiently illustrates the dangers of this kind which never fail to attend an extremely agitated state of the public mind. No one will argue that a Titus Oates could find credit only in England; or that the delusion of feigned plots might not, in certain circumstances, be found as strong in Jamaica as it ever was amongst ourselves. Alarm once excited, all calm consideration of the reasonableness of the alarm is at an end. Fear is the natural passion of the tyrant, and cruelty the never-failing effect of its unrestrained operation. Rumours of the most extravagant kind gain instant belief. Suspicions light as air are converted into irrefragable proofs. The danger is assumed to be unquestionable; and he who affects to doubt it, runs the risk of being deemed a traitor to his caste and country. In such a state of things, the man who comes forward with details, however improbable, which are confirmatory of the prevailing apprehension, and which open a prospect of satiating the hatred and lust of vengeance generally felt towards the supposed conspirators, is hailed as a deliverer. No reward is thought too great for his deserts. Let him but reveal a plot, and name the plotters, and he is sure of universal

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\* The examinations and evidence taken by this Committee were ordered to be deposited with the Clerk of the House. We trust they will be moved for in Parliament.

credit and universal favour. To accuse, in such a case, is to condemn ; and to the impatient alarmists, who feel as if the knife was at their own throats, even West-Indian Justice will seem tardy, and appear to limp in her progress to the gibbet—the only consummation which is thought of, for one moment, especially in the case of Black men who have dared to “ imagine the death of a White.” If these observations are kept in mind, they will sufficiently explain all the phenomena of the trials and executions which have disgraced this part of his Majesty’s dominions during the period to which the Jamaica Report refers. To the details of those trials we will come hereafter.

2. Whether the conspiracies, of which the Report speaks, were real or not, it is obvious that they would be equally, and as a matter of course, referred by the planters to one cause ; namely, the agitation of the question of slavery in the British Parliament. To bring the past efforts of the abolitionists into disrepute, and to prevent their being renewed, by representing them as productive of blood and devastation, had been the uniform policy of the holders of slaves from the year 1787 to the present hour. It had been long their grand weapon of defence against the inroads of justice and humanity, and had so often proved successful ; in thoroughly alarming the timid and the ignorant, and in relaxing the efforts of benevolence itself, that any one might have predicted, with absolute certainty, that it would have been resorted to on the renewed agitation of this great question. In one of the first publications of the Anti-slavery Society (the Appendix to the Debate of the 15th of May 1823, p. 227) allusion was distinctly made to the alarms which would not fail to be sedulously created by means of rumours of apprehended or of actual insurrection—rumours quite familiar to all who lived during the slave-trade controversy. There was then a regular importation of them from time to time ; so it was foretold it would be again. The prediction has been verified ; and all the new plots which have been got up, have issued, like the old, in the destruction, not of any White life, but of Black lives in great abundance.

3. But, supposing the danger from such discussions to be as great as the planters represent them to be (a supposition which their own conduct altogether contradicts), what is *their* obvious policy, and the obvious policy of this country ? Is it not to put a speedy end to a state of things so fearfully pregnant with alarm ; which cannot even be approached without the risk of explosion ; which cannot be spoken of, even in a whisper, without involving rebellion and massacre ? The planters think differently. They make the very existence of such dangers the special ground for determining to perpetuate the abuses and evils which cause them. They will not ameliorate the condition of their slaves : they will not even take those steps which “ prudence and humanity might suggest” to that end, lest they should give a triumph to the Negro mind. (A. p. 16.) But why, it may be asked, did they not of themselves take these steps, when, according to their own shewing, they might have been taken with safety ? The fact is, the colonists never have taken,

and they never will take, one step in the career of reform, but as they are driven to it by the dread of the interference of the supreme authority of the state; and even then what they do will be wholly inoperative.

4. The Assembly proposes that this country should reimburse to them the cost of suppressing the disturbances that have taken place. It is to be hoped that they will bring this proposition regularly before Parliament. There will then be an opportunity of discussing the whole case on its merits; of ascertaining the grounds on which so many of our fellow-creatures have been put to death or transported; and of exposing to public view those outrages on all law and justice, denominated trials, which, in the name of the King, have been perpetrated in Jamaica.

5. It seems to be assumed by the Assembly of Jamaica as a maxim in jurisprudence, that the witnesses of plots are to be rewarded for their testimony\*. All (with the exception of two) who have given evidence against the alleged conspirators, are to be rewarded—the slaves with freedom; the free with money. The practice of thus remunerating witnesses *after* they have given their testimony, is sufficiently objectionable; but if it shall appear that the principle has been acted upon of promising this remuneration beforehand, then it cannot be denied that justice has been corrupted at its very source. This point will be exemplified hereafter. With respect to the two individuals who, instead of being rewarded for the evidence they gave, according to the promise made to them, are to be transported for life as dangerous characters, it will be found that they are thus punished instead of being rewarded, because, by their subsequent pervarications and inconsistencies, they have completely damned the evidence they had previously given, and on which so many individuals had been unjustly condemned and executed. Possibly, also, it may be discovered hereafter, that it was highly expedient to have these men removed out of the way, lest, in the case of an investigation, by Commission or otherwise, the whole of the alleged plots, a part of which they had been the instruments of fabricating, should be exposed in all their fraud and falsehood to the public reprobation.

6. The merited compliment paid to the People of Colour, is a complete answer to those allegations of conspiracy among them which were brought forward to justify the unjust arrest and deportation of Lecesne and Escoffery.

We come now to the trials which took place in Jamaica of slaves accused of insurrection. The first occurred in St. Mary's, in the month of December 1823 (see E. pp. 37—45). On the evening of the 16th, about eight o'clock, a Mr. Roberts, residing in Port Maria, was told, by a Negro boy of the name of William who waited upon him, that he had learnt from *his father*, James Sterling—a slave on Frontier estate, belonging to Archibald Sterling, Esq.—that “they would have a bad Christmas,” as the Negroes were going to rise and

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\* This maxim, as we have seen, is law in Barbadoes. (supra, p. 17.)

murder the Whites. In consequence of this information, James Sterling and seven other slaves were apprehended and put upon their trial, which took place at the court-house of the parish on the 19th. "I thought it my duty," observes the Hon. Henry Cox, one of the magistrates, who acted as a judge on the occasion, in a letter to the Governor's Secretary, dated the 20th December—"I thought it my duty to insist on the magistrates trying the Negroes that had been taken, *immediately*, and to send their trial and sentence express; as it will, in my opinion, be highly important for the safety of the parish, and probably of the island, *that they should be executed before the holidays*, as an example to the other Negroes, and to prevent the danger of an escape, or an attempt to release them." "I have taken up and issued orders for the capture of every Negro against whom there is the *least* suspicion, and shall try *all*, or *any* of them, as soon as I think I have sufficient evidence to convict them. Some Negro-houses have been searched; but as *no arms of any kind* have been found in them, it appeared that the Negroes had taken the alarm, and it would be harassing the men to no purpose to continue the search\*."

But, to come to the trials—The following is the account given of the trial of James Sterling, the Negro already named, the father of William the informant. He was charged "with being concerned in rebellious conspiracies, and committing other crimes, to the ruin and destruction of the White people and others in this island; and for causing, exciting, and promoting others to aid and assist therein;" and with entering into and being concerned "in rebellion, or rebellious conspiracy to commit murder, felony, burglary, robbery, and to set fire to certain houses and out-houses, and to compass and imagine the death of the White people of the parish of St. Mary's."

To these charges the prisoner pleaded not guilty. The following is the evidence, verbatim, as it appears in the papers transmitted from Jamaica.

"Ned, to James Walker, Esq., being admonished to speak the truth"—(not sworn)—"says he knows the prisoner; his former

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\* Such was the state of feeling, not merely in the White community at large, or in the jury impanelled to try the prisoners, but in a judge, who was bound to see impartial justice done in a case so likely to excite an unduly adverse leaning in the public mind. The charge brought against the prisoners was rebellion and rebellious conspiracy. No counsel was assigned to them—no time was allowed them to prepare their defence. They were arrested on the 17th; on the 19th they were tried for their lives and condemned to die; and on the 24th they were executed; it being "highly important," in the opinion of their judge, "that they should be executed before the holidays, as an example to the other Negroes." The news of the plot too, he might have added, would just be in time for the meeting of Parliament.—But, amid all the alarm which prevails for the safety of the parish, and even of the island, not a single stand of arms is to be found. This circumstance, however, instead of raising a suspicion in the mind of the worthy magistrate that there had been in fact no rebellious conspiracy whatever, seems to have led him to the conclusion that the Negroes had taken the alarm and hid them; and this, too, without the very slightest shadow of proof.

name was Joe. Last Saturday week" (6th Dec.), "about eight o'clock in the evening, was going to Frontier" (the estate to which the prisoner belonged) "for water; just between the bridge and the spring saw prisoner and five others: as he came up they were talking: he heard what they said; they were going to rise at Christmas. Witness said they were talking bad words, and asked if they did not hear that guard was to be kept at Christmas. They then said they would change the day to Wednesday or Thursday this week" (the 17th or 18th), "being full moon. They said they would set fire to Frontier trash-house, and kill all White people; and then come in the bay, and rise on the gentlemen and kill them, and take the bay to themselves. They were to set fire to the boiling-house and other houses. Prisoner had a cutlass, which he flourished, saying, that was the way he was going to serve Buckras" (i. e. White men)\*.

"William, to A. J. Roberts, Esq., being admonished to speak the truth"—(not sworn)—"says he went to his father the prisoner's house, who told him the Negroes were going to rise; and he, witness, must take care of himself, and keep out of the way, in case he should be hurt, because *they would kill every body*. His master (Mr. Roberts) asked the witness if he thought the Negroes would kill him; he said he did not think so, but advised him to go on board ship. His master asked him if he would not be safe if he went to the fort, or to Mr. Beard's; he (witness) said no, he had better go on board ship, as the Negroes were to walk all about. He *did not see his*

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\* The testimony of Ned bears fabrication on its face. He represents these dangerous conspirators as talking on the highway, at an hour when it must have been perfectly dark, so as to be overheard by every casual passenger; and in that position they discuss aloud their whole plan, and even change the day of its execution on the suggestion of a person accidentally joining them. Never, we will venture to say, were conspirators more guiltless of danger, either to the parish or to the island, than those of St. Mary's. But who is this witness? We learn from the Jamaica newspapers of the day, that he was one of the persons pointed out in the first instance by the boy William as implicated in the conspiracy. "Ned," the newspapers relate, "was apprehended, and brought before the magistrates, and the boy kept away. He denied the thing until the boy was brought as evidence to his face. *He then received a promise of pardon and of his freedom to discover the whole, and then deposed*" to the effect stated above.

In the Report of the Secret Committee of the House of Assembly, it is recommended to the House to "reimburse to the parish of St. Mary's the sum of 37*l.* paid by them for the manumission of certain slaves who rendered essential service by the discoveries which they made." One of these was Ned, who, it seems, had the promise of his manumission, if we may believe the accounts from the spot at the time, *before* he made any discovery whatever. *After* that promise, and the assurance of his own immunity, he seems to have become willing without hesitation to confirm William's story. A current report is—we by no means vouch for its truth—that Ned was subjected in the first instance to the torture of the thumb-screw, without its succeeding to wring from him any admission of his knowledge of a conspiracy; but that, when the mode of attack was changed, and the offer of pardon and freedom substituted for the thumb-screw, he no longer scrupled to testify to the truth of William's accusation—who also had his freedom held out to him in prospect.

*father among the Negroes.* When Ned was with him, there were men and women: the men had a number of cutlasses flourishing\*.

“Mary, to George Merrilees, Esq.; is a native of St. Domingo; sworn—(she was very unwilling to kiss the book, and gave her evidence most reluctantly)—says she knew prisoner; has seen him at her husband’s house †. He came there the *other* night; he said he would. Witness saw him have a gun by his side: did not hear that prisoner was to join Charles Watson: saw the gun in her husband’s house; is the same as a soldier’s gun, with a bayonet. After her husband struck a light and loaded the gun, did not see who he gave it to. The night the prisoner had the gun, was the night the guards were fixed. Same time prisoner brought some bottles, he took away the gun. The gun prisoner had by his side was the same her husband had in his house ‡.

“Andrew J. Roberts sworn: saith that on Monday night last, about eight o’clock, he scolded his Negro boy William for not getting his frocks, and asked him how he would appear to follow him about at Christmas. William said, ‘Massa, you will have bad Christmas.’ Witness said, For what? are the Negroes going to rise? He said, yes, his father told him so. Witness asked him if he had seen the Negroes meeting. He said, yes, two times; but that his father told him more than he knew at the meeting. Witness asked him if any of his Negroes were among them; said, he believed George was. Witness asked if any more Bay Negroes: he said, yes, Mr. Walker’s Ned and Douglas. Witness asked, if he *thought* they were going to kill all the Buckras (Whites): said, his father told him so. Witness then asked him what he must do; should he go to Kingston or Spanish-town? He answered, no, Negroes would walk all about the

\* Here we have a son, a mere youth, brought forward to convict his father of a capital crime; which capital crime is to be inferred from some loose conversation stated to have passed between the son and the father, whom, however, the son states he did not see among the Negroes. Ned, however, says he saw him there, with five others, who, it appears from the other trials, were *all men*. William, on the contrary, states, that, while Ned was with him, he saw both men and women, and a number of cutlasses flourishing. Ned testifies to his having seen the conspirators only once: so that it must have been, if at all, on the occasion on which William saw him there, that he was present; and yet, on all the trials, he states that when he was there, there were only six *men* present; and only *two cutlasses* flourishing—(see his evidence on the trial of William Montgomery, Richard Cosley, Rodney Wellington, and Morrice Henry, E. p. 42).—What can be more loose and disjointed than such testimony? Much of William’s evidence also relates in no way to the prisoner, but is the mere statement of a gossiping conversation between himself and his master, who appears to no great advantage in this strange colloquy with his slave. William, too, is one of those who were manumitted for their discoveries: his freedom was the blood-money paid him for his father’s life.

† Her husband, Henry Nibbs, was tried immediately after James Sterling, and was condemned to death, chiefly on this woman’s (his wife’s) testimony. She was one of those who earned her freedom by her evidence.

‡ Supposing all this testimony to have been perfectly correct, yet what does it prove in the way of rebellious conspiracy? Absolutely nothing: say, it actually negatives the charge.



country. Witness asked, if he should pack up his books and go to the fort, or Mr. Beard's, would he be safe? He said, no, Negroes would walk all about, and Wentworth Negroes would rise the same as Frontier. Witness asked if they would kill every body? He answered, yes, *every body*; and advised witness and Captain Barton to go on board of ship, and take him with them; would not be safe any where else\*."

"The prisoner, in his defence, said he thought his son William was a run-away, and scolded him †. He, prisoner, always attended his work. His master always supplied him with clothes and victuals, as he was an old man."—The jury found him guilty, and the court passed the following sentence: "That you, James Sterling, be hanged by the neck till you are dead."

Now let the whole of this evidence be calmly considered by any lawyer, and to what will it be found to amount? To rebellion, or rebellious conspiracy, or murder, or felony, or burglary, or robbery, or setting fire to houses, or out-houses, or compassing or imagining the death of any human being? Certainly to nothing of the kind, even if the whole of the evidence should be received as true. To James Sterling nothing, absolutely nothing, is brought home, of any of the charges preferred against him. No unprejudiced man could read the evidence without instantly pronouncing a verdict of not guilty. Nay, not only are the charges not proved, but they are absolutely disproved; they are divested of every vestige of probability. But when to the impression arising from the evidence, we add the consideration of the temptation held out to the witnesses; the breathless impatience manifested to try, condemn, and execute; and the circumstance that a son is made the instrument of bringing his father to the gallows, we may well stand aghast at the awful aspect which criminal justice wears in Jamaica.

But even James Sterling's trial is not half so discreditable to the judicial administration of St. Mary's, as that of Henry Nibbs, who is hanged chiefly on the evidence of his wife Mary. In this case, indeed, there are three or four other witnesses produced, who, though their testimony does not go to establish a single charge preferred against the prisoner, yet may have appeared to make up in number what they wanted in weight. But on the trial of one of the alleged conspirators, Charles Watson, there is positively no witness but one, and that one the woman whose evidence hangs her husband.

\* Such a line of evidence as this, in proof of a capital charge, we will venture to say is quite unparalleled, even on the trial of the Missionary Smith: it does not approach the prisoner in the slightest degree. Mr. Roberts also seems to have been wonderfully dependent for counsel and direction on his Negro boy William, whom he consults as quite oracular.

† The boy had been chidden by his father, and may have resented it. He had been scolded by his master, and may have been threatened with punishment which the mention of a plot might avert. These circumstances afforded at least grounds of suspicion, and should have led to an anxious cross-examination.

The evidence against Charles Watson is thus given:—"Witness's husband had two guns, one of which he gave to prisoner Friday week. Prisoner told witness, Negroes were going to rise at Christmas, and burn Frontier trash-house, and go down to the bay and set fire to the houses, and kill Buckras. Prisoner told her so in the house, and said some of the Frontier Negroes were good; and some deceitful: he meant by that, that he could not trust them with a secret. Prisoner said Negroes would rise at full of moon. They changed from Christmas to full of moon, because guard was fixed for Christmas. Prisoner said that they would rise on Wednesday night, and, if prevented then, on Thursday night; and after burning the buildings, take the country to themselves; and that Nibbs (her husband) would go to Frontier to lend a hand. Did not hear who was to be head-man. They were to begin by burning the trash-house at Frontier, and come down on the bay softly. He said they would come on the bay, raise a mob, and kill the White people. Nobody present but witness, her husband, and prisoner\*." Prisoner asked, what made him say what he did. She answered, he said it because they were all to be free."

On the vague and unsupported evidence of this unhappy woman (rewarded with freedom for her evidence) was Charles Watson found guilty by the jury, and condemned to be hung.

Four more, William Montgomery, Richard Cosley, Rodney Wellington, and Morrice Henry, were, on the same day, condemned to the same death, on similar testimony. William, the discoverer of the whole, gave on this occasion a very remarkable testimony. Of the four, he said he knew only *three*; these he saw with cutlasses, flourishing them: he heard them talking, but *did not hear what they said*. Ned and Douglas, he added, were with him. Plenty of *women* were there. *Thought*, by flourishing their cutlasses, and from what his father told him, they were going to cut off Buckras' heads.

On such evidence as has been detailed were eight human beings condemned to die; and the Governor of Jamaica, after perusing that evidence, confirmed the sentence, and issued the fatal warrant for their immediate execution. They were accordingly executed on the 24th of December, as the Hon. Henry Cox, in a letter dated the 25th, informs the Governor, "with all due solemnity and decorum." He adds, "Only one of the wretches † confessed to the Rev. Mr.

\* She was pretty secure, therefore, against contradiction.

† This kind of language, applied to men who had just been suffering the last extremity of colonial justice, indicates the spirit which actuated even their judges. What would have been thought of an official letter, addressed by one of the Judges of the Court of King's Bench to the Secretary of State for the Home Department, announcing, in terms like these, the execution of Thistlewood and his associates? We learn, from the Jamaica newspapers, that the individual who is here said to have made a confession to Mr. Girod, was Richard Cosley. Now, on looking into the evidence, there does not appear to have been a single tittle of it brought home to him by any one of the witnesses. He is one of the four who were tried together. Not one of the witnesses mentions him, excepting Ned, who merely says he saw him with the others.

Girod that it was their intention to have burnt Frontier works and Port Maria, and killed the Whites; but none would mention any other Negroes concerned with them, or shew any symptoms of religion or repentance. They all declared they would die like men, and met their fate with perfect indifference." (E. p. 44.)

Such are the particulars of the formidable insurrection in St. Mary's, and of the sweeping and summary executions which avenged it. No act of violence whatever had been committed. Not a single weapon of any kind was found in the possession, or in the houses of, the convicts, or in the houses of any other of the slaves. One or two guns, and a little gunpowder, had been seen in the possession of Henry Nibbs by his wife, which he might have had for the purpose of killing game; and this appears to have been the total amount of warlike preparation that had been made for overthrowing the government of Jamaica, taking the fort at Port Maria, and exterminating the Whites of St. Mary's. Some persons must have felt how very inadequate the evidence was to support such a case as this. On the day following the execution, therefore, a Mr. Richard Gordon, overseer of Tremolesworth, is induced to file an affidavit, intended to satisfy any doubt that might arise as to whether there really had been a conspiracy which justified such prodigality of blood. Mr. Gordon gravely swears, "That on Wednesday night, the 17th December, lying awake, about twelve o'clock, he heard the report of a musket; he got up, and, on putting his head out of the window, he heard horns blowing. He got up, dressed, and took a sabre. On looking at his watch, he found it was half-past twelve. Went out to the back door, and heard six different tones, or sounds, of a horn, in the direction of Nonsuch. Walked into the garden; was there about an hour. Two Negroes in clean frocks passed up the road\*; they went up a small distance; heard the door of a Negro-house open, and saw the Negroes returning. They appeared to meet other people. They were so near him, whispering in conversation, he heard a voice say, 'It is no use, it is no use.' They then went down the road. The rain set in, and he did not again hear the horns. They continued blowing about two hours in all, from about half-past twelve to half-past two o'clock. Before going to bed, about nine o'clock, heard five reports of guns in the direction of Nonsuch." (E. p. 40.)

In what a state of morbid excitement must the minds of the good

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No one else appears to have seen him, or known him. It would be important, therefore, to have had the notes of this man's confession to the Rev. Mr. Girod produced.—A person, who was present at the execution of these men, has stated that pardon was offered on the scaffold to such of them as would acknowledge their guilt and discover their accomplices; but that they, one and all, persisted in protesting their innocence, and positively refused to save their lives by criminating other persons, of whose guilt they abjured all cognisance.—The value of these eight persons was assessed by the jury, and paid to their owners, at prices varying from 50*l.* to 100*l.* currency, but amounting, in all, to 655*l.* or about 465*l.* sterling.

\* He could see, at midnight, that their frocks were clean!

people of Jamaica, high and low, have been, to convert stuff such as this into an official document furnishing evidence of insurrection!\*

A very striking proof of the extreme susceptibility of the public mind in Jamaica, for some time previous to the affair of St. Mary's, may be deduced from a letter officially addressed by a magistrate of St. James's, Mr. S. Vaughan, to the Governor's secretary. It is dated 9th October 1823, and evinces the eager appetite which had already been excited for something in the shape of a plot. "It appears," says Mr. Vaughan, "that there is a general expectation among the Negroes of freedom being given shortly by Government at home. *The Negroes are every where behaving well, and perform their work as usual*; but still entertain this belief. The grounds on which I have formed this opinion I shall now give.—

"1. Mrs. Fowler saw many strange Negroes, who talked freely with her that they were soon to be free.

"2. Eliza Tucker hired a man on his own day, who talked much of this free, but said he did not like it, for many Negroes would be idle,

\* A person who resided in the parish of St. Mary's at the time these trials took place there, on perusing the above account of them, added the following particulars. We publish them to afford the Jamaica missionaries and others an opportunity of contradicting them if they are false. We believe them to be true.

"The alleged conspirators belonging to Frontier Estate, were all religiously disposed, and were in the habit, after the hours of labour, of meeting in each other's houses, often in the house of James Sterling, for prayer. A man of the name of Roberts, a butcher in Port Maria, was unfriendly to these meetings, which he affected to believe were held for rebellious purposes. He questioned the son of this James Sterling, a slave of his own, of the name of William, who was quite a boy, respecting these meetings, offering him his freedom and money if he should be able to bring their plots to light. Accordingly the boy disclosed a plot to his master, which his master disclosed to the magistrates. The unfortunate Negroes who had been named were taken up as they came down from Frontier Estate with their grass for sale in town. The reward which awaited witnesses of plots being known, two others now came forward; one a woman, Mary, who gave evidence against her husband, Henry Nibbs, and Mr. Walker's Ned. On the *Sunday* after the execution of the eight alleged conspirators, as this Ned was passing through the market, the wife of one of the slaves who had been executed, unable to control her feelings on seeing the false accuser, in fact the murderer, of her husband, used some abusive language towards him. He immediately reported the circumstance to his master, who is a magistrate. This poor woman was soon after laid hold of, and in the presence of the concourse of people assembled in the market place, stretched prostrate on the ground by four Negro men, while a fifth inflicted a most unmerciful flogging on the bare posteriors of the wretched sufferer.—Henry Nibbs was an infirm old man, troubled with rheumatism, and incapable of much exertion, as appears from the price at which he was valued, namely 35. sterling. Charles Watson, another of the slaves who were executed, was a most harmless, inoffensive, and honest Negro, particularly noted for his religious dispositions, and the last to be suspected of improper conduct. It is my firm opinion that one object, with some, in these trials and executions, was to put an end to all the efforts of the missionaries in that quarter for the religious improvement of the slaves. As for Mr. Gordon, of Tremolesworth, he was known to be in a state of great nervous excitement."

and quarrel and fight, as in Guinea country; and who was then to give clothes, fish ? &c.

"3. The book-keeper on Caledonia estate heard a Negro complain of their having Saturday stopped (always more days are given them than the law requires); when another said, Never mind, they would soon have Friday also; on which a third told him to hold his tongue, for they would soon be free altogether.

"4. Mr. Williams stated, as a report, of some Negroes saying that it was long in coming, and if it did not come soon they would take it, or to this effect.

"5. Mr. Moore mentioned two Negroes had gone to two overseers to ask when this free was to take place. This he had been informed of.

"6. The overseer of Bigland said the Negroes talked in the field, that, if they behaved well, they were soon to be free.

"7. Mr. Walter Murray heard that the Negroes at George's Plain had said, on the arrival of the last packet, they would wait till next packet; and that Mr. Mason, of St. James's, had heard very similar expressions, nearly in the same words—both alluding to the freedom in question."

Such being the feeling of wakeful jealousy and suspicion in the mind of one of the chief magistrates of St. James's, it might be presumed that a plot would sooner or later develop itself more distinctly. Accordingly, in two or three months these various floating rumours had acquired sufficient consistency to lead to meetings of magistrates and examinations; and two free Persons of Colour, named Bartibo, and a slave named Goldring, at last came forward to state that they had been at a festive meeting of Negroes, where they had heard it said, that, if they did not get Friday and Saturday, or their freedom, they would rise; and where Mr. Wilberforce's health was drunk with hurrahs (E. p. 47). After ten days, however, spent in examinations and in the eager pursuit of every idle rumour, and after having taken up and committed a number of slaves on suspicion, the magistrates, on the 29th December 1823, were of opinion, that "though the evidence before them proves that some mischief had been intended," they did not recommend any trial at present. The slaves supposed to be implicated in the conspiracy were nevertheless kept in close confinement; and the same persons who originally gave information continued to be examined and re-examined, their statements meanwhile improving gradually in fearful importance, by the invention from time to time of additional circumstances, until at length the affair seemed to have acquired the solidity and consistency of a regular plot; and on the 28th January 1824 it was thought expedient, by Mr. Vaughan and some of his brother magistrates, to proceed to the trial of the supposed conspirators. Fourteen individuals, thirteen men and one woman, almost all belonging to Mr. Galloway's estate of Unity Hall, and Mr. Kerr's estate of Spring Garden, were arraigned for conspiring together, and, with other slaves, to enter into a rebellious conspiracy for obtaining, by force

and violence, and by acts of resistance to the lawful authorities, the freedom of themselves and others, against the peace of the king, his crown and dignity; and for having attended a meeting for the unlawful and dangerous purpose of exciting, encouraging, and maintaining each other in this rebellious conspiracy, &c. The prisoners all pleaded not guilty.

The only evidence against them, of the very slightest force, was that of the three men, Peter and Robert Bartibo, and Goldring, who are declared by the Jamaica Assembly (A. p. 18) to be severally entitled to rewards for the information which they gave of the conspiracy. The temptation presented to these individuals to pursue the trade of plot-making, is very forcibly pointed out in one part of the evidence. A very respectable and intelligent female, a confidential slave of Mr. Galloway's, who had been eleven years with him as a servant in England, and evidently much attached to him and his interests, of the name of Jane M'Donald, having been called as a witness for the prosecution, gave the following evidence respecting a conversation she had had with one Bessy Bartibo, a sister of the two informers. Jane M'Donald remarked, with some emotion, what a hard thing it was for a person (alluding to one of the prisoners) for a little merriment to be taken up in that manner, though guilty of nothing: on which Bessy Bartibo said to her, "Don't you hear that if any free people bring out such a thing as this, they will have maintenance for life; and if slaves, they are to be free, and have a house and land for their life-time?" (E. p. 75.)

But the testimony even of the Bartiboes and Goldring does not prove any thing beyond that idle conversation which was very likely to take place at a Negro merry-making, and especially where no harm was really intended—saving perhaps the crime of drinking Mr. Wilberforce's health, which appears to have been considered as the most serious part of the rebellion. But even to the commission of this overt act of treason by any of the prisoners, there is only one witness, Robert Bartibo. He alone heard this dangerous and inflammatory toast: neither his brother nor Goldring heard it, and some others who were present positively deny the fact. But, independently of the criminality of this wicked and insurrectionary toast, overheard only by one man, panting for the reward of such a notable disclosure, what is there to inculpate these poor creatures? Nothing but the idlest tattle. Even Robert Bartibo, though evidently disposed to go to all lengths, in order to satisfy the prevailing appetite for plots, can frame no better a conspiracy than is conveyed in the following statement.—There was a dance in the houses of one or two of the Negroes at Unity Hall. Robert Bartibo was there—not an invited guest, but an intruder, and sitting on a bench outside the house. He swore he there overheard the following conversation: "Trelawney\* said, he heard they would get free, else Friday and

\* This Trelawney we afterwards find was a poor sickly hip-shot boy, who had been chiefly an inmate of the hospital for the preceding two years, and was still too weak to do much work.

Saturday. William Stennett said, he had heard so, but he did not look for no free, nor Friday and Saturday: since he got his cloth and fish he did not care for it: that was all he wanted. Trelawney said they would get free, else Friday and Saturday; and if they did not get it, they would rise at Christmas; and that, when they got free, he would not live in such small houses, but would have his master's great house; and that he and the White people would be on a footing then. William Stennett said, that, if they got free, the White people would hire them to cut canes. This was in Cunningham's house, when Philip Haughton drank Wilberforce's health." Witness did not hear any thing else, either there or at several other dances at which he was present; but "almost every night, when the Negroes came from the field, he always heard Trelawney talking about free, and saying" (shouldering his crutch, we presume) "that it would be a word and a blow with them and the White people at Christmas, if they did not get free. Philip Haughton drank Wilberforce's health at Cunningham's house, and said that *he* would make them get free."

With respect to the whole of the other prisoners, the utmost attempted to be proved against them, assuming all the evidence to be strictly true, was, that conversations of the following kind had passed between them:—James Campbell mentioned that the slaves were to get free. Thomas Darby said to James, he did not care about free; if free came, very well; if don't come, very well. James then said, that Thomas Darby lived well with his master was the reason he didn't care about free.—"Did you hear James say the people were going to rise? No; he said, if free come, he would take it," &c. &c.

The testimony, however, of by far the greatest part of the witnesses even of the Crown, not only denies that any *bad words* were spoken at the dance, or elsewhere, by the prisoners, but is highly favourable to their general character and conduct. The overseer of Unity Hall, Thomas Aikman, who had lived there eleven years, gives them the most unqualified commendation. He says, "There are 232 Negroes on the estate: it has some bad characters as run-aways, one or two. They are a good working set of people, and well-disposed, as far as I know, and do every thing for their master's interest." Speaking of the prisoners, he says, Robert Galloway is head driver, a well-disposed Negro. Archy Buckner is head cattle-keeper, a very good character. Philip Haughton is a very good character; he is second driver, and equal to any other, and one he would trust with any thing. William Stennett is as fine a Negro as he ever knew in Jamaica; he does not believe he ever passed an angry word with him since he lived on the estate. The others are field-Negroes, and work well. Richard Allen generally carries the first row in the gang. John Cunningham has a large family of six children. Trelawney has been an invalid for two years, "a weakly boy," (E. p. 61), doing little work: he is hip-shot. The character of Mary Ann Reid is good.—Such is Aikman's account of eight of the alleged conspirators. He

next gives an account of their accusers, the Bartiboes. " They have been great nuisances to the estate since he lived there. He has taken them up for their misconduct, and put them in the stocks ; has frequently given orders to the Negroes to drive them off the estate, when they see them there ; and has even punished two or three for harbouring them. He has known them commit depredations on the estate. Their mother is free, but has lived as his wife with a slave belonging to Unity Hall, who is a hard-working man, and supports her, and is a great help to her family." (p. 70.) The same unfavourable account is given of the Bartiboes by almost every witness even for the Crown. Several say they would not believe them on their oaths ; all seem to agree that nothing good could be said of them : and yet these are the men whom the Assembly of Jamaica crown with rewards as saviours of their country, and for the cost of whose perjuries they mean to apply to Parliament to indemnify the island.

The overseer of Spring Garden estate gives also a highly favourable character to three of the prisoners belonging to that estate. " He considers William Kerr, James Kerr, and Corydon to be three very good slaves ; never knew them guilty of any thing bad. Thinks they are all the very reverse of Negroes of a rebellious disposition, never subject to severity ; and when they came into any fault, a very little chastisement puts them to rights. He has every reason to suppose they are attached to their master ; never knew them to injure the stock : when any accident happened on the estate, they seem to regret it as much as a White person." (p. 72.)

Besides all this, much evidence was produced which was directly exculpatory, and which both repelled the alleged charges, and threw absolute discredit on the rewarded witnesses.

The result of the trial is thus stated by Mr. Vaughan, who entered upon it, as we have seen, with a disposition to turn windmills into giants. " The court were divided : Mr. Barrett\* and Mr. Downer were of opinion there was no conspiracy, and that there was nothing but common amusement ; the majority, Messrs. Gray, Boyd, and myself, conceived there was legally conspiracy, and that there was great criminality. As, however, there was no specific plan proved, nor the possession of arms, nor preparation by exercising, nor any overt act of rebellion, or threat of murder of any White, or against the Whites, except by implication, the majority of the court did not think the punishment should be capital, and stated their intention to the jury." (E. p. 60.)

The jury found thirteen of the prisoners guilty. Four of them, Trelawney, William Kerr, Philip Haughton, and James Campbell, were condemned to transportation for life ; two, Garret Rainie and

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\* Mr. Barrett has done himself great honour by the course he pursued on this occasion. His address to the jury forms a remarkable contrast to that of Mr. Vaughan. It is calm and dispassionate, and evinces the most enlarged views and liberal feelings.



Corydon, to hard labour for twelve months, and to thirty-nine lashes each at going in and coming out; John Cunningham, to hard labour for six months; Mary Ann Reid, to hard labour for four months; Robert Galloway and Richard Allen, to hard labour for three months, and to thirty-nine lashes each at going in and coming out; and William Stennett, Archy Buckner, and James Kerr, to hard labour for one month, and to thirty-nine lashes each at going in and coming out.

Such were the punishments awarded by this slave court for a little idle gossiping about the news of the day, and for the alleged crime of drinking Mr. Wilberforce's health.

The Governor, the Duke of Manchester, seems to have been justly shocked at the unwarranted rigour of these proceedings. Mr. Bullock addresses Mr. Vaughan, in the name of his Grace, to the following effect:—"After the most careful perusal of the evidence, his Grace has not been able to discover any concert or combination amongst the Negroes for any criminal purpose. There seems to have been a very active spirit of inquiry, which may be naturally accounted for without attributing to them any criminal intentions; and their minds have been agitated by vague and uncertain rumours of benefits contemplated in their favour, the nature of which they were anxious to discover. This has led them to make use of inconsiderate, and in some instances intemperate, expressions. But the utmost extent to which even these expressions go, is a determination on the part of some to obtain what they have been deceived into a belief that they are entitled to; and there is no threat, no intention manifested to destroy the White inhabitants, or the properties on which they reside." "In regard to Trelawney, although he certainly made use of very unjustifiable language, still, when it is considered how incompetent he must be from his infirmities, and unlikely from his general character, to exercise any sort of influence over the minds of the slaves, or to be the principal agent of any meditated mischief, his Grace is induced to commute his sentence to three months' imprisonment, and to such labour as he is able to undergo; and to commute that of Kerr, Campbell, and Haughton, to confinement to one month's hard labour. With respect to the slaves convicted of minor offences, it is rather to be regretted that so many were brought to trial; and his Grace does not see any useful purpose in detaining them any longer in confinement. His Grace has been pleased, therefore, to remit such parts of their sentence as have not yet been carried into effect\*." (p. 82.)

What can be a more decisive condemnation of the whole spirit of these transactions than the above able and manly despatch? It is an acquittal of the alleged conspirators, and a condemnation of their judges. The same letter, however, contains a notice of the trials in St. Mary's and St. George's which admits of more question. There, Mr. Bullock observes, "crimes of a more marked and decided character have placed his Grace under the painful necessity of in-

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\* We trust the thirty-nine lashes at going in were delayed till the above letter arrived.

flicting the punishment of death on many, and on others that of banishing them the island for life."

We have already had an opportunity of appreciating the justice of the sentence passed on the alleged conspirators of St. Mary's, and of seeing how slight and vague and unsatisfactory was the evidence on which eight men were there so precipitately thrust out of existence. We have still to examine the case of the alleged conspirators of St. George's. (E. pp. 83—111.) It is not, indeed, our intention to enter into it much at large; for, although it would be easy to shew that, on the very face of the proceedings, enough appears to disprove the charge of any traitorous or rebellious conspiracy, it seems now admitted by common consent that the two individuals, on whose testimony alone the charge of conspiracy rested, were utterly unworthy of credit, and have since completely damnified their own evidence by the most palpable inconsistencies and contradictions. It is respecting these two witnesses (the hope, at one time, of all the alarmists in Jamaica, and even now the only prop of the St. George's conspiracy) that the Secret Committee of the Assembly adopted the following recommendation: "The Committee feel it their duty to recommend to the House, that a message should be sent to his Grace the Governor, requesting that he would send off the island Charles Mack and John Baptiste Corberand, as persons of most dangerous character to remain at large in this colony." Without stopping to inquire by what legal authority either the Governor or the House of Assembly, or both, could thus transport two of his Majesty's subjects without even the form of a trial, we have, at least, in this recommendation, a sufficient proof of the infamous character of the witnesses on whose evidence alone eight slaves were condemned to death and eight more to transportation\*. The sentences of five of the former

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\* Mack and Corberand are understood to have received a promise both of pardon and of their freedom for the discoveries they made respecting this conspiracy. Why the promise has not been executed will hereafter appear. They doubtless well earned their reward in the first instance: they left indeed no wish of the alarmists ungratified. Latterly, however, their evidence, more especially that of Corberand, broke down so completely (see the trial of Chance, E. pp. 128—132) as to excite in the minds of the more dispassionate members of the community a conviction that the whole of the plot, to which they alone bore witness, was little better than a vile fabrication. But even this exposure of the falsehood of these witnesses (to say nothing of a more complete exposure, which probably still awaits them and their employers) was not necessary to satisfy any one, who had read with care their preparatory examinations, and the minutes of their evidence on the different trials, that there had been, in fact, no rebellious conspiracy whatever among the condemned slaves. It is curious, among other things, to remark the progressive hardihood of affirmation on the part of these dealers in plots and conspiracies, at each successive examination. We have never met with a more striking parallel to Titus Oates, than has been furnished on his inferior stage by John Baptiste Corberand. While the delusion lasted, who more honoured than Corberand? But it could not stand before his clumsy contradictions; and when it subsided, the man who had been hailed as a deliverer, and was to have been rewarded with freedom and wealth, was condemned to close imprisonment and exile, and became the object of universal disgust and execration.

were commuted by his Grace the Governor into transportation, and two of the latter were unconditionally pardoned. Still three were hanged and eleven transported on the evidence of these two desperadoes.

The case of Lecesne and Escoffery, which has been more than once adverted to in the Society's Reports, naturally connects itself with the St. George's conspiracy; the former of these gentlemen having been charged *by the witness Corberand, but by him alone*, with having supplied the conspirators with arms. It is not our intention to enter largely into this case, which has been recently exposed to the public indignation with so much power and effect by Dr. Lushington. It is a case of the most wanton and aggravated oppression; and though no pains have been spared to blacken its victims, and to screen its perpetrators from merited disgrace and punishment, yet the day of vindication and of retribution also must come, and we trust is even now at hand.

Lecesne and Escoffery (see F.) were arrested in Kingston as aliens of a dangerous description, with a view of being immediately deported from the island, on the 7th October 1823. They were kept in gaol till the 25th of that month, when, after a full investigation of evidence, they were pronounced by the Court of King's Bench to be British subjects, and discharged from custody accordingly. On the 29th of November following, however, they were again seized, under a warrant from the Governor, hurried on board a ship of war, and sent off to St. Domingo, from which island they made their way to England.

In no part of the proceedings relating to these men, up to the time of their deportation, is there the slightest allusion to any suspicion which existed against them of their being concerned in any conspiracy of slaves. Something was said, but without the slightest proof, of their criminal correspondence with St. Domingo; which, however, their unfriendly reception by the authorities there must, of itself, had there been no other reply, have shewn to be unfounded. The ground on which their deportation was made to rest was their alleged alienage. But as that might be again disproved, and these persons might be placed hereafter in a capacity of vindicating their rights as British subjects, it became necessary to think of some expedient which should aggravate their case, and serve eventually to palliate, if not to justify, this extraordinary act of rigour towards two unoffending and untried British subjects. The St. George's conspiracy afforded a very convenient occasion of doing this. To have kept these men in the island and put them on their trial would have been hazardous: they might have proved their innocence. But there was no hazard, now that they were deported, in having them incidentally exhibited as fomenters of the St. George's conspiracy. The effect would at least be to increase the prejudice against the exiles, and to exhibit in a favourable point of view the penetration, and foresight, and vigilance of those who had by anticipation detected and deported such dangerous miscreants.

John Baptiste Corberand appears to have been the first person.

who afforded any information respecting the St. George's conspiracy. He was a native of St. Domingo, and a slave belonging to Mullet-hall plantation. The trials and executions which had just taken place in St. Mary's, had naturally excited the apprehension of disturbance in all parts of the island. In St. George's, that apprehension appears to have been particularly vivid, as may be seen by the newspapers of that period. At length, on the 26th of December, John Baptiste Corberand comes forward to announce a plot. On that day his first examination on oath is dated; and it is remarkable, how modest and circumscribed his statement on that occasion is, as compared with his subsequent evidence. Not one word escapes him respecting Lecesne. He merely states, that he understood the Negroes of Balcarras had for some time been mustering by night. One night he was present, and found a large concourse of Negroes in a house belonging to one Montagnac, which they called the Court-house. One man among them was called King, another Governor. They had some refreshment there, and talked with one another; but *he did not understand* what they were talking about, and after some time he left them. He went the next night, and found the people mustering as before, when they offered to make his brother Second Governor; but being offended that his younger brother should be put above him, and *not being able to obtain information from them*, he did not return any more—"and further, this deponent saith not."

Different persons, who had been designated by Corberand, as having been present on these two occasions, were also examined; but they said, that the whole affair was a matter of mere amusement. Montagnac said, that the Negroes in the field had made a regulation, that when one Negro cursed another, he should be fined 5*d.* worth of rum. He himself was the first man fined, and the Negroes came in the evening to his house, to drink the rum; and it was proposed, that all future fines should be drunk at his house, which should be called the Court-house. Thompson, who was there, said he would be King, and Kerr said he would be Governor, but that was all meant in fun\*. The Negroes, so assembled, sometimes made play with their sticks, and some of them had *wooden* swords made by Macfarlane †.

This germinating conspiracy assumes, however, a very different shape in Corberand's next examination, which does not take place till the 8th of January 1824, an interval of fifteen days. On the 26th of December he had sworn to the facts already detailed, which he swore also was all he had to depose. Who had access to him in the interim and were his prompters does not appear, but may possibly

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\* It is well known, that in Jamaica, every Negro has his gala-day name, by which he is distinguished among his fellows. One is General Campbell, another is Admiral Rowley, a third is Colonel Russell, a fourth Mr. Scarlett, a fifth Governor Conran, and so forth: and by these names they are generally addressed at their festive meetings.

† With respect to the use of sticks and swords in their amusements, see the account which Bryan Edwards gives of their Pyrrhic or warlike dances; in his *History of the West Indies*, 5th edition, vol. ii. p. 108.

appear hereafter. His evidence on the 8th of January details the formation of a regular plot, with all due circumstances of unlawful oaths and murderous purposes; the whole of which, if true, must have been as well known to him before as after his first examination. He stands, therefore, at once before us as a perjured and blasted witness. His testimony is nevertheless received and devoured by the greedy appetites of the magistrates without hesitation or reserve. Now the plot takes the character, in their official statements to the Governor (p. 83), of "a most extensive and diabolical plot for the overthrow of the government, and the massacre of the White inhabitants." Now first Lecesne's name comes forward. The information respecting him is thus given by Corberand: "James Manhertz, and two run-away Negroes harboured by him, had made several visits to town, each time returning with a load of guns \*, which was delivered by Lecesne, (the person lately shipped off): H. Oliver said, this Lecesne was his great support, and had promised him as many guns, powder, &c. as he could require. Since Lecesne's being sent off, H. Oliver had appeared much dejected: he knows of no one who has been appointed to act in Lecesne's room." This fact, observes the magistrate, in making a communication of it, "will be important to Government." (p. 83.)

On the trial of H. Oliver, on the 19th of January, a number of additional circumstances are introduced into Corberand's evidence respecting Lecesne. He (Corberand) went to Kingston—he does not say when—along with James Manhertz. They were both introduced to Lecesne, by one Baptiste, a Negro from St. Domingo, and received from him fourteen guns, which were put in a Spanish bag, and brought by them to Balcarras, where they were hidden. "The guns," he says, "were to fight Buckra (the Whites) with. They were to kill all that would not join their party, without respect to colour. Oliver sent money to Lecesne for guns. Oliver was three days in Kingston; he carried money to pay for arms; and yet it is said, "Lecesne did not sell guns." (p. 83.) "Oliver was to walk round the country and tell the Negroes to join the plot, and Lecesne was to send TROOPS from Kingston to help them when they rose." "Oliver sent letters to Mr. Lecesne, Manhertz carried the letters: he did not know who wrote them." "Lecesne told witness he would get them every thing they wanted. The plot was contemplated before witness knew Lecesne." "They got the arms about two months before Christmas †."

\* Not one of these guns has ever been found, although the whole power of the Jamaica police has been exerted to discover them.

† From the 7th to the 25th of October, Lecesne was in confinement in Kingston gaol. It was surprizing that this statement did not excite a suspicion of the truth of all Corberand's evidence; and still more if, as the newspapers of the day represented him to have said, the arms were received two weeks before Christmas, when Lecesne had been already deported. But another circumstance rendered the magistrates more inexcusable, in crediting Corberand's testimony. Mr. Paul La Motte testifies, that on the Sunday before the Kingston races, (being the 30th Nov. 1823), he met two slaves coming from King-

The next mention of Lecesne is on the 3d of February, on the trial of a slave named Leon, condemned to die on the *sole* testimony of Corberand. "Leon," he said, "was made a postman by H. Oliver, to fetch people from Kingston to join them the night they were to rise. Afterwards, three weeks before Christmas, Leon came down to Balcarras," &c. "The people were to be brought, *Christmas night*, from Kingston. Leon accepted the situation, saying, he would do any thing to oblige a friend. *They were to come from town with arms; Lecesne was to furnish them.* The people expected were Sambos, Blacks, and Browns." (See *supra*, pp. 37, 38.)

Again: on the trial of Jack, on the 7th of April, Corberand testifies, "that fourteen guns were supplied by a Brown man, name Lecesne. They were brought over by James Manhertz, and a Brown man named James Grossly, in Spanish bags, on two mules, about *two months* before Christmas. A week after, he (witness) brought over a keg of powder on a mule, also from Lecesne." "He (the witness) was taken to Lecesne by Baptiste the Brigand" (p. 104), who introduced him and Oliver to Lecesne. (p. 106.)

Corberand's next and last exhibition was in Kingston, on the trial of a slave named Chance, on the 1st of June, 1824. He then stated, that *he had known Lecesne since he was a little boy.* Some time ago, as he passed his house, he saw him and Chance whispering a long discourse together, and he saw Lecesne give a jug of powder to Chance. "Baptiste, the brigand, and Oliver, were introduced to Lecesne in town, who said, at any time they wished for guns, to send. Witness took Manhertz to Lecesne, got a Spanish bag, and tied fourteen guns together; and they put them on two mules, and walked all night, and got to Balcarras at cock-crow."

It came out, on this trial, that Corberand had been promised his pardon by the St. George's magistrates if he told all he knew about the conspiracy. Mr. Lamotte, a planter of St. George's, testified that Corberand had varied in his testimony, on the present occasion, from all he had said before. "On five trials in St. George's he had always varied, and given something new." (p. 131.) Mr. Beaumont, the editor of the Public Advertiser, gave similar testimony.

In consequence, we presume, of his manifest prevarication on this occasion, Corberand was immediately committed to close confinement in gaol; and it was afterwards made the subject of a recommendation from the Assembly that he should be deported from the island, without even the form of a trial\*.

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ston; the one Manhertz, belonging to Balcarras, and the other Corberand; belonging to Mullett-Hall, with a mule and a bag on its back containing a gun; and Mr. Mendez, the overseer of Mullett-hall testifies, that at that time he had sent to Kingston a Negro with a mule to get a stand of arms for himself, and that the Negro on his return told him he had met Mr. La Motte. This circumstance seems to have furnished Corberand with the hint for the whole of his fabrication about arms. The overseer of Balcarras also testified, that he never missed H. Oliver more than one day from the estate.

\* The papers laid before Parliament omit one material circumstance with respect to Corberand, which tended more than any other to ruin his testimony.

But, amid the various transactions in St. George's, none has struck us with more disgust and horror than the trial and condemnation of a poor sickly female slave, named Venus, who, on conviction, is valued at 25*l.* currency, or about 17*l.* sterling, for "a rebellious conspiracy to kill and murder the White inhabitants of Jamaica, and for compassing and imagining the death of the White people of that island." The slave and daughter of her master, a Frenchman of the name of Paul Lamotte Carrière, appears against her, and testifies to her using violent language, the witness alone being present, about killing the White people, and saying the Negroes would be free; adding, "Venus always grumbled against her master." Her master testifies that she was "ill-disposed, mischief-making, and disorderly;" another White man, that she was "bad tempered, saucy, and lazy."

He was detected, while giving his evidence, with a piece of silver coin in his mouth, which, by the Negroes generally, is supposed to be an effectual charm against the evil consequences of perjury. The universal knowledge in Jamaica of the prevalence of this superstitious belief proved more damnable of Corberand's evidence than all his contradictions, inconsistencies and exaggerations. Indeed he did not scruple to avow afterwards, as may be clearly proved, that all he had testified about Lecesne and the St. George's conspirators was false, and had been said to secure the pardon and the rewards that had been promised him. After this, it seems unnecessary to point out the gross discrepancies of his various statements. On the 19th of January, for example, he said that he and Manhertz were introduced to Lecesne by Baptiste; and then that Manhertz had carried letters to Lecesne from Oliver. He even says, that the plot was contemplated *before he knew Lecesne*. On the 7th of April, however, his testimony is, that he and Oliver, not Manhertz, were introduced to Lecesne by Baptiste. On the 1st of June he had a different story. He then said that he had known Lecesne *since he was a little boy*; and Baptiste and Oliver, instead of being the introducers, were introduced themselves to Lecesne. He also took Manhertz to Lecesne. Again, his evidence on the 8th of January goes to prove that Manhertz and two other persons had made several visits to town for guns given by Lecesne, who was Oliver's great support. But on the 19th of January it was he and Manhertz who got the guns. On the 7th of April, it was Manhertz and Grossly; and on the 1st of June, it was he and Manhertz again.

In the first account of these trials in the Jamaica newspapers, the delivery of arms by Lecesne was said to have been two *weeks* before Christmas. This statement must at once have blasted the whole of Corberand's testimony, Lecesne having been deported on the 29th of November. The time, however, which stood two *weeks* in the newspapers, stands as two *months* in the parliamentary papers. But though the change brings the fact just within the verge of possibility, the improbability is still of a very formidable description. Mr. Lecesne had been a prisoner in Kingston gaol from the 7th to the 25th of October, and in five weeks more he was deported from the island. Now that, during any part of those five weeks Lecesne, just as he had escaped the most imminent peril of exile from his family and country, with a full knowledge of the rigid surveillance under which he was placed by Mr. Barnes and Mr. Mitchell, the magistrates of Kingston, who were known to be anxiously looking about for inculpatory evidence against him, should have employed himself in the hazardous work of furnishing arms to slave conspirators, is too absurd to be believed. There is no need, however, to resort to reasoning of this description to prove the charge to be false and unfounded. And this appears to have been the opinion of the Jamaica Assembly, who, in their report on the disturbances, do not once allude to Lecesne, but bestow high praise on the loyalty of the People of Colour generally. (*Supra*, pp. 37, 38.)

Her defence was, that she was sickly, and could not work, and that the words attributed to her had really been used by her master's daughter. She was condemned to transportation.

The following extracts seem to us to throw additional light on these dark transactions.

In an extra Postscript to the Royal Gazette of Jamaica of the 17th to the 24th of January 1824, there is inserted a detail of the trial of the St. George's conspirators on the 19th January 1824. There Charles Mack is made to testify (p. 30), that the meeting at which he was present, when *two bags* were brought on *two mules*, containing, as he conceives, guns from town, took place *two weeks* before Christmas. On the very same trial John Baptiste Corberand is made to testify (p. 31), that fourteen guns were brought from Lecesne, in Kingston, in *bags* on *mules*, *two months* before Christmas.

In the Postscript to the Royal Gazette, of the 51st January to the 7th February 1824, an account is given of a second trial (Feb. 3) of some St. George's conspirators. On this occasion the editor observes (p. 20), "Baptiste Corberand varies considerably from the evidence he gave on the former trial" (on the 19th January). "He says there were *some people* from St. Domingo at the musterings, when before he distinctly stated there was only the brigand Baptiste. He also implicates Sambos and Browns, whereas before he only implicated Lecesne. He now, too, implicates the Negroes on La Fitte's property, when, on the previous trial, he deposed that they would not join, as they were religiously inclined." Various other direct contradictions are specified, but these may suffice. On this testimony, nevertheless, three men were, on this one occasion, condemned to die, and one to be transported. (p. 21.)

In an additional Postscript to the Royal Gazette of the 10th to the 17th April 1824 (pp. 26, 27), is contained the account of the third trial of the St. George's conspirators, which took place on the 7th of April. Here Corberand and Mack change places. Mack is made, on this occasion, to testify, that the guns arrived *eight weeks* before Christmas; while Corberand's testimony is thus given:—"They had fourteen guns to fight the Backras with. They got their guns from Lecesne, a Brown man in Kingston, for nothing. They had been collecting money to purchase guns; but when they found they could get them for nothing, they stopped collecting." "James Manhertz brought the guns up in a Spanish *bag* on a *mule*, with John Crossdaile, a slave belonging to Cambridge, in Portland, *two weeks* before Christmas. *A week after*, this witness brought up a keg of gunpowder on a mule from Lecesne's." Lecesne, be it remembered, was deported from Jamaica on the 20th of November. Corberand is asked, "Do you know Lecesne?" His reply is, "Yes, I know him well; was introduced by Baptiste the brigand to him."

In the Jamaica Courant of the 12th of April 1824, an account is given of the same trial of the 7th of April, which is verbatim the same which we have just quoted from the Jamaica Gazette. Corberand is there also made to state that the guns were brought from Lecesne *two weeks* before Christmas, and a keg of powder only *one week* before Christmas; while Mack is made to testify that they were brought to Balcarras *eight weeks* before Christmas. The whole of the trial, extracted verbatim from the Jamaica Courant, and exhibiting these decisive proofs of perjury, may be seen in the John Bull of the 13th June 1825.

Immediately after the trial of Chance, which took place on the 1st of June, and to which we have adverted above (p. 77), Corberand was placed in close confinement in the gaol of Kingston. He escaped from his confinement, but, after some time, was retaken and placed in one of the condemned cells. The Jamaica Courant, of the 5th June 1824, makes the following observations on the escape of this witness for the crown:—

"Jean Baptiste Corberand has effected his escape from the gaol of the city. The danger and impolicy of this man being abroad must strike every one. He has as pretty a notion of treason as any Jack Cade we ever



One other conspiracy remains to be considered; that of Hanover; and we must do the gentlemen of Hanover the justice to say, that it is the only affair which wears the very slightest semblance of a conspiracy. There, we have at least some overt acts of violence—something which, to a certain extent, might justify alarm, and punishment too.

heard of, and may, if he is inclined, stir up the present tranquil passions of ignorant Negroes to those acts which, on his evidence on the last slave-court, he evinced having well studied and matured. We never witnessed a fellow more undaunted before a tribunal of justice, or more at home, on his being discovered in occasionally tripping in the continuity of his story. It is hoped every exertion will be resorted to in order to recover this incendiary, who has evinced considerable and dangerous talents, and who would be prone to use them (if we judge aright of the fellow) to the prejudice of the present peaceable state of the colony, and to the perdition of his weak or headstrong associates."

In the Public Advertiser of Jamaica, of the 27th July 1824, the following paragraph appears:—

*Corberand.*—"In reply to the inquiry of a St. George's correspondent, 'whether Charles Mack and Jean Baptiste Corberand, the crown witnesses in the St. George's trials, are treated like convicted felons, whilst the convicted rebels are allowed the privilege of insolvent debtors,' we are requested to state, that Corberand has lately been confined in a cell for two causes; first, in consequence of his having effected his escape on a former occasion; and, secondly, because he has manifested strong symptoms of insanity. The debtors insisted on his removal from the part of the gaol appropriated to them, as he made at night the most hideous yellings, sometimes roaring out that he saw the fire which was going to burn him; at other times that he was sure he would be hanged, an impression which it is impossible to dispel. He also requested the Sheriff's officer to fetch him a parson, that he might tell him that all he (Corberand) had said was nothing but lies. Charles Mack, till the last week, was in the hospital, and for a considerable time previously. As he had also attempted his escape, it has been considered necessary to put him under some restraints."

The same paper, of the 12th July 1824, contains the following remarks on the evidence of Corberand, as it bears on the case of Leceane and Escoffery.

"For our own part we hope (indeed we are confident), that our Executive have stronger grounds to defend the justice and propriety of their conduct (towards Leceane and Escoffery), than the evidence of Jean Baptiste Corberand, whose evidence, we maintain, is wholly unworthy of credit. We put it, not to the Rev. Colin Donaldson, but to Mr. Kirkland and Mr. Stamp, two of the ablest magistrates in St. George's, whether they can deny that Corberand was always ready to swear to any thing which could tend, in his opinion, to raise his own consequence. We have heard him with our own ears, in a court of justice, detail before a jury impossibilities, absurdities, and inconsistencies. In his cross-examination by Mr. Clement, in the Court-house of this city, at the trial of a slave named Chance, he so repeatedly contradicted himself, that the jury did not believe his evidence, and acquitted the prisoner of every part of the charge which Corberand was called to substantiate.

"Our readers will perceive, that we do not impeach Corberand's testimony on the opinion of a very inconsistent, and perhaps, we might say, very silly reverend gentleman (Mr. Donaldson), but we appeal to his own cross-examinations, and the verdict of a jury composed of respectable inhabitants of this city.

"Besides, were Corberand's evidence to be believed, it would be no exculpation of the illegal act charged against our executive, inasmuch as the deportation complained of, and the evidence which induced it, were long prior to this second edition of Titus Oates."

By the law of Jamaica, the slaves are allowed twenty-six days in the year out of crop, besides Sundays, for cultivating their provision grounds, which form the sole source of their subsistence. This pitance of time, it may be supposed, is highly prized by the slaves generally, but most by those who are the best and most industrious. The crop of 1824 had been long: the month of May had nearly closed before it was finished on Argyll, the estate of Mr. J. Malcolm, who was himself resident; so that the season for clearing their grounds and planting their provisions was rapidly passing. Mr. M. had made them to turn out to work on Saturday the 29th of May; and after they had been working some time in the field (one witness says half a day), they were sent to their grounds; but the afternoon proved wet, and was of little use to them. This plan of turning out before going to their grounds is stated to have been unusual on Argyll, nay, never to have occurred there before. The Negroes were unwilling to submit to it; and when Saturday the 5th of June came, they all went to their provision grounds without first going to the field. They were not flogged on the Monday morning, as they seem to have expected, for this act of disobedience. An intimation however appears to have been given them, that they would be required to attend in the field on the succeeding Saturday. They determined among themselves, that they would not obey the mandate; but that when Saturday the 12th came, they should proceed as they had done on Saturday the 5th, and repair to their grounds without coming first to the field. They accompanied this determination, it is affirmed, with some strong expressions of defiance, and with intimations of their right to be free; but this was only among themselves. Early on the morning of Friday the 11th, Mr. Malcolm was apprized by one of his slaves, William Roach, of the above determination, and of the intemperate language said to be used by the slaves. He immediately wrote a letter on the subject to the colonel of the militia, who called out his regiment to rendezvous at Argyll. A part of the corps reached the estate the same day during the dinner hour of the Negroes; and such was the alarm created amongst them by the appearance of the soldiery, that, when the shell blew to call them to their afternoon's task, instead of coming to the field, they all ran away into the woods. One witness describes the matter thus:—"They were frightened, having heard that, when they turned out, they were to be surrounded by the troops, and, if any ran away, they were to be shot and handcuffed." Some of them appeared now to consider their case as desperate. They killed seven horses and three mules belonging to Mr. Malcolm; and the trash house of a neighbouring estate was set on fire on Sunday, but by whom does not appear. Three of the principal offenders, among whom was the head driver of Argyll, killed themselves to avoid being taken, and a fourth failed in an attempt at suicide. A few were taken by the military, and the rest came in and delivered themselves up in two or three days.

Eleven slaves belonging to Argyll and seven belonging to Golden Grove were put upon their trial. The charges against them were, entering into a rebellious conspiracy to obtain their freedom by acts

of force and by resistance to the lawful authorities; entering into such conspiracy to resist the lawful authorities and to overturn the constitution of the island; and rising in open rebellion against the lawful authorities of the island. Sixteen were found guilty. Of these, thirteen were condemned to be hanged, and either ten or eleven of them were hanged, and three were condemned to be transported. The value put upon these sixteen persons, and paid to their masters, was 1560*l.*

This, it must be admitted, was a sufficiently terrible example of vindictive justice. We shall be excused for making a few remarks upon it.

1. There does not appear to have existed on the part of the slaves any premeditated design of rebellion. They conceived themselves to have been greatly aggrieved by the wanton abridgment of their Saturday, the only week-day allowed them for cultivating their grounds out of crop, no such day being allowed them during crop; and their measures appear to have been directed solely, in the first instance, to secure to themselves the whole of the day to which they conceived themselves to be entitled by law. Instead, therefore, of obeying the mandate to muster in the field on the Saturday, they determined to go directly to their grounds, which, it is said, had been the usual course of proceeding. Mr. Malcolm, the proprietor, does not deny that he had summoned them to attend the field on Saturday; but says his object was to ascertain that they were all on the estate, and had not wandered about on Friday night, and "he *always sent them away by seven o'clock.*" He does not, however, contradict the evidence which says that it had not been *his* previous custom thus to summon them to the field on their own day; neither does he deny the fact, alleged by one of the witnesses, that on the preceding Saturday they had been detained in the field *half* the day. This statement of Mr. Malcolm's, therefore, is not very intelligible; but we presume that he wishes to have it understood that it was his *intention*, in summoning them to the field on their own day, not to detain them beyond seven o'clock. He does not say, however, that he made known this intention to the slaves. Now, let it be kept in mind that the Jamaica law makes the hours of field labour to extend from five in the morning till seven at night. Here, then, two full hours, the best hours of the day too, are to be taken from the day allowed to the slaves for labouring in their own grounds, in order to till their master's fields—although that day is the only allowance made them in lieu of subsistence;—their master thus depriving them (including the time employed in going to and returning from the field) of a sixth, or perhaps a fifth, of that precious time. We cannot but regard such a proceeding as a most wanton infringement of the *legal* rights of the slave; an infringement which it became them to resist, by every *legal* means in their power. And yet, had they in their power any *legal* means of redress? We doubt it. They could only have complained to a magistrate; and Mr. John Malcolm their master, the very person who inflicted the wrong, was himself a magistrate,

and, from his connexions, one of the most influential magistrates in the parish. We cannot, therefore, *greatly* blame their adopting the only mode which was open to them, however unsafe and imprudent it may have been, of intimating to their master the sense they entertained of the wrong he had done them.

2. We think that the conduct of Mr. Malcolm was not only unjust and illegal, but that it was ill-timed. He must have known that the minds of the Negroes had been much agitated by the rumours and discussions which had been afloat in the island, and by the trials and executions which had been taking place around them. The Duke of Manchester's recent letter to Mr. Vaughan might have reminded him of this circumstance. Surely this was not the time to innovate, in the way of severity, in the treatment of his slaves, and particularly by a regulation which must, in many ways, have been extremely galling to them. If he had intended to excite their bad passions, and to provoke resistance to his authority, he could not have fallen upon a more effectual device than that which he was so ill-advised as to adopt.

3. That the appearance of the military on the estate should have led to the momentary defection of all the slaves, was no more than might have been expected. Their terror at the thought of military execution sufficiently accounts for it. Thus far they might fairly have found in the court and jury which tried them, that lenient construction of their conduct which was so judiciously given by the Duke of Manchester to the alleged conspirators of St. James's. The acts of violence afterwards perpetrated by a few individuals, were, doubtless, acts deserving severe punishment; but they were not acts which could be considered as involving any but the actual perpetrators; and certainly not such as could be considered as involving even the perpetrators, and much less the other slaves, in the crime of rebellion against the government.

4. We observe on these trials, as on all the others which have taken place, a remarkable disregard of all the received rules of evidence; and in this instance also the slaves appear to have had no legal advocate, or even solicitor. On the face of the minutes, however, it is obvious that much would have been gained in favour of the prisoners, as well by a judicious cross-examination, as by the rejection of improper and irrelevant and mere hear-say evidence. On an English reader, for example, it is calculated to make a strong impression to be told that most of the Negroes were *armed with machetes*, and that one man was *grinding his machete*. A single question would have brought out the answer, that the machete is one of the common tools of the field Negroes.

5. In the case of this, as of all the other trials, the informers and material witnesses either are rewarded with their freedom (a freedom which they had doubtless the assurance of before hand); or obtain the pardon of their own crimes, in order to qualify them to give evidence against others. (A. p. 17.)

A Return is made in these papers of the number of Maroons in

Jamaica ; by which it appears that they had been greatly increasing. The returns are dated in June, July, and August, 1824, and are as follows—(E. pp. 21—33)

Aaccompong-town (besides 14 slaves) .....	328
Scot-Hall (besides 1 slave) .....	68
Charles-town.....	365
Moore-town (besides 49 slaves) .....	436

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1109

The only remaining document in the Jamaica papers is a letter from the Bishop of Jamaica, which, we think, it would have been well to have suppressed. It is dated on the 12th March 1825, when he had only been about three weeks in the island, and when it was impossible he could have formed any just judgment of the actual state of things, except from information, the soundness of which it would have been prudent to have questioned.

“Wherever I go,” says the Bishop, “I find the greatest aversion to Sectarianism of every kind and denomination, but every degree of confidence in any teachers of religion whom I may be pleased to appoint\*.

“I have as yet seen very little of the slave-population, except during a short excursion into the Port-Royal mountains. The great want is, places of worship in situations where the Negroes of many surrounding estates might be easily assembled, and houses for the clergy †. Many proprietors have indeed tendered houses, which might be adapted for the purpose: and, from all I hear from the Clergy, much has been done in this way, particularly since the Society for the Education of Negroes has directed its attention to this point †. From the great uncertainty and capriciousness of the Negro character, it is difficult to make sure of their attendance even where great pains

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\* The Bishop, of course, speaks *here of the Clergy and the White colonists*; he cannot mean to refer either to the free People of Colour or to the slaves. It was not necessary to have Episcopal authority for this fact: it was perfectly notorious. Did any doubt whatever exist of the perfect hatred which the planters of Jamaica generally bear to Methodist and Baptist Missionaries?

† According to the Bishop's account, the great want has not been any want of zeal in the resident Clergy, or any want of facilities in their labours on the part of the laity, but the want of churches and houses; and yet all previous accounts, even from the Clergy themselves, have given a different view of the most efficient causes of the non-instruction of the slaves.

‡ The Bishop was informed by the Clergy, that much had been done in the way of assembling the Negroes in the houses of the proprietors. This, also, is in direct contradiction to all the evidence previously obtained on the subject, both from the Clergy themselves and from others. (See Appendix to Debate of 15th May 1823, pp. 149 and 161.) But we are told, that it is more especially since the Society for the Education of Negroes has directed its attention to this point, that “much has been done.” The resolutions adopted by that Society were first made known in July or August 1823, in London. Its progress must have been rapid, if much has already been done by it. But in what way their resolution to institute schools could have operated in leading the Clergy to do much in the way of assembling the Negroes in the houses of proprietors for public worship, is not very obvious.

have been taken \*; but whenever a preacher is popular, they dress out their children and themselves, a sure sign they are in good humour, and throng the place of public worship †. Psalmody and organs, have great attractions for them. They seem particularly fond of form and ceremony, and greater critics than many persons will give them credit for, remarking every particularity of manner and gesture; and have a great predilection for a powerful, sonorous voice ‡. “I am happy to assure your Lordship, that a very general wish to ameliorate the condition of the slaves, and to instruct them in the principles of the Established Church, seems to pervade the great mass of proprietors; and every facility is afforded me of visiting the several plantations §.”

## XII. MAURITIUS.

Respecting the state of the Slave Trade in the Mauritius, during the years 1822, 1823, and 1824, the substance of what has been communicated officially is contained in a letter from Sir Robert Farquhar, and one from his successor, Sir Lowry Cole, both addressed to Earl Bathurst;—the first dated the 23d January 1823; and the second, 18th November 1824. The fair inference from these communications would seem to be, that in those years the Slave Trade had been reduced to a very low ebb in the Mauritius. It is impossible, however, under all the circumstances of the case, not to entertain very considerable doubts of the accuracy of that information, and a suspicion that the Governors may have been deceived upon the subject. Sir Lowry Cole indeed affirms, that not only has the introduction of slaves ceased at the Mauritius, but that, on the part of the

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\* Does Mr. Trew, or Mr. Stainsby, or do the Methodist preachers, complain of a deficiency in attendance?

† It would be worth while to obtain a specification of the parish churches, in the island of Jamaica, which slaves and their children have been in the habit of *thronging*. We believe, that, besides the Methodist and Baptist chapels, they would be confined to one or two.

‡ The power and sonorousness of the Bishop's voice are loudly celebrated in all the newspapers of Jamaica.

§ It is humiliating to peruse this first specimen of the official labours of the head of the Church of England in Jamaica. Where did the Bishop learn the fact of the general wish to ameliorate the condition of the slaves? From the chit-chat of the dinner-table, or from the acts of the legislature? Has he not learnt to distinguish between the mere profession and the actual existence of a sincere desire for reformation? And as for the wish, attributed to the great mass of proprietors, of instructing the slaves in the principles of the Established Church, if it really exists at all, it must be a wish of very recent origin: for, until a late period, even the Jamaica District Society for promoting Christian Knowledge found it necessary to obviate the alarm which their association had excited among those proprietors, by publicly declaring that the idea of the religious instruction of the slave population of Jamaica had not entered into their contemplation, their attention being exclusively directed to the free population. (See Appendix to Debate of 15th May 1823, p. 182.)

inhabitants, there is no disposition to renew the Slave Trade, but rather a feeling of indignation at its horrors; and this appears to have been also the opinion of Sir Robert Farquhar. The planters of the Mauritius have, without doubt, *professed* to renounce and to detest the Slave Trade; but it is very difficult to give them credit for the sincerity of this profession. They had long been familiar with this trade; and they had evinced, even to a recent period, an attachment to it so rooted as to lead even some of the higher classes to brave, for the sake of its profits, all the infamy of a felonious conviction. What then could have wrought this extraordinary conversion in so short a time? An external difference of conduct, indeed, might fairly be expected. The increased vigilance of our cruisers increased the risks of transgression, while the extremely low price of colonial produce, during the period in question, diminished the temptation to transgress. But to infer from this temporary cessation of the trade, even if such cessation had actually taken place, that the planters of the Mauritius had become, in principle, adverse to that trade, is not consistent with the character of those planters, or with what we know of human nature itself. Besides, it is notorious, that, during this period, the planters of the Mauritius were making great efforts to obtain the removal of the protecting duty on their sugars; and they must have felt, that a decent external compliance with the Abolition Laws was essential to their success. If a reference be made to the official testimonies already adduced, as disproving this suspicion, it may be said in reply, that the papers laid before Parliament in the late session furnish numerous proofs of similar representations, in favour of the conduct and dispositions of the colonists, on the part of the colonial authorities in the West Indies, at the very moment when the whole course of proceeding pursued by those colonists was furnishing a direct and palpable contradiction to the official eulogy.

One of the strongest presumptions against the alleged purity of the planters of the Mauritius, is drawn from the records of Parliament. Had they been as sincere in their abhorrence of the Slave Trade as they are represented to be—and we may add, had the colonial functionaries been as earnest and vigilant in repressing it as they were bound to be—some proof of this would have been found in the regularity with which the Order in Council for the Registration of Slaves had been complied with by the slave-holders, and in the strictness with which the salutary provisions of that order had been enforced by those charged with its execution. It was felt, by all enlightened abolitionists, and by none more than by his Majesty's Ministers, that the only effectual security against the continuance of the Slave Trade, to any extent which the planters of the Mauritius might desire, was in the establishment of a perfect system of slave-registration. Both in Mauritius and Bourbon, experience had shewn, that, for the due repression of the Slave Trade, no reliance could be placed on the fidelity of courts and juries composed of planters, themselves participating, or desiring to participate, in its criminal gains. And as for our navy, what could one or two cruisers, however vigilant,

effect to prevent small and fast-sailing vessels from throwing slaves on shore during the night, without the cognisance of any persons except the inhabitants, who were also the parties interested in concealing the transaction? The slave market, be it remembered, was distant only a few hours' sail: Slaves could there be bought for only a few dollars. That they were eagerly desired by the planters, no one doubts.—What, under these circumstances, could prevent an active Slave-trade, but a well-regulated registry? But in the Mauritius the registry has not been well regulated. The proof of this is now on the table of the House of Commons. A registry of the slave population, regularly kept, it was admitted, could alone effectually prevent the illicit importation of slaves; but it now turns out that that registry has been suffered to fall into inextricable confusion. It is not only wholly and absolutely inefficient to its purpose, but, there is every reason to fear, may have been converted into a convenient instrument of giving facilities to the illicit importation of slaves. And here it is remarkable, that, although the due establishment and the vigilant superintendance of the Slave Registry was one of the first and most essential duties of the local government, and although it was recognised by the supreme authorities of the state as the most effectual means of preventing the Slave Trade, yet the imperfection, not to say the perfect nullity, of the Mauritius registry, appears to have excited no attention till a recent period. It is obvious, however, that, in the peculiar circumstances of the Mauritius, the very course which the best friends of the Slave Trade would be disposed to pursue, in order to secure its undisturbed continuance, would be to declaim against that trade, and to threaten punishment on those who should engage in it, and yet to allow the slave registry to fall into complete disorder.

The Order in Council which established a slave registry in the Mauritius was promulgated there in the year 1815. From that time, had the provisions of the registry act been fulfilled, the introduction of slaves, if not entirely prevented, must have been rendered difficult and hazardous. If any one object, therefore, more than another deserved the vigilant inspection of the colonial government, it was this.

A strong suspicion that this essential instrument of preventing the Slave Trade had become wholly inoperative, was excited by an examination of the returns made to the House of Commons, and printed by order of that House on the 23d March 1823 (No. 89, p. 122), and which were found to be in so unsatisfactory a state as not even to afford any accurate information with respect to the slave population, much less to prove an effective check on the illicit importation of slaves. The suspicion thus excited has since been abundantly confirmed by a return made to the House of Commons, so recently as the 27th June 1825, by Mr. Amyott, the registrar of colonial slaves in Great Britain. It is entitled, "Return of the Amount of the Slave Population in the Mauritius, as received in the Office of the Registrar of Colonial Slaves since its first Establishment," and is as follows:—



“ 1816. Males, 65,717; females, 29,706; total, 85,423.

“ The duplicate slave-returns in the Mauritius, for the year 1819, are so imperfect as not to afford any means whatever of ascertaining the amount of the slave population at that period, and have therefore been sent back to the colony for correction. Those for 1822 are supposed to have been lost in the ship *George the Fourth*, wrecked, on her voyage from the Mauritius, in June last.”

And this neglect is the more remarkable, as it is in defiance of the provisions and penalties of an Act of Parliament, passed in the session of 1819, for securing the regularity of such returns. To whom the neglect is to be attributed does not appear. It is, however, so criminal in itself, and so ruinous in its effects, that it is to be hoped that one of the first measures of the next session of Parliament will be the appointment of a Committee to investigate the subject of the Mauritius registry, as well as some other matters connected with Slavery and the Slave Trade in that quarter.

Until the existing state of things, as to the registration of slaves, has undergone a radical change, all general statements as to the non-introduction of slaves into the Mauritius must be regarded as illusory. It is known, too, in this case, that a Governor is surrounded on all sides by functionaries, and judges, and juries, who are almost one and all holders of slaves, and who are therefore deeply interested, not only in keeping open the channels of supply, but also in concealing every act of delinquency; so that, without the infallible means of information which a perfect system of registration alone can afford, it would be impossible for him to pronounce with confidence as to the execution of the Abolition Laws.

And if this reasoning is applicable to the Mauritius, even under the circumstances of depression, arising from low prices and protecting duties, which prevailed there in 1822, 1823, and 1824, how much more strongly does it apply at the present moment, when the removal of the protecting duties, and the general rise in the price of colonial produce, must have given an increased stimulus to cultivation, and rendered the temptation of the adjacent slave-market still more irresistible!

It would be easy to shew, in addition to this, in how open and barefaced a manner *new Negroes* have been introduced from the Seychelles, by means of certain “ formalities,” which, under all the known imperfections of the system of registration, can be of no use in checking, but may be of great use in facilitating, an illicit slave-trade. It were idle to suppose that the slave-registration system is more perfect in the Seychelles than it is in the Mauritius, and yet the certificate of the officer commanding at the former has been sufficient to secure the admission into the latter of any number of slaves he may accurately describe, and certify as coming from those islands; and yet, for any thing that appears, or can appear, to the contrary, he himself may have first imported these slaves from Mozambique or Zanzibar, and then transferred them to the Mauritius.

The whole of this state of things is an outrage on the honour and

character of the British Nation. Our own Government has been strenuously urging France, and other powers, to adopt our plan of registration, for the effectual prevention of the Slave Trade. How justly may they charge us with hypocrisy and insincerity, when they contemplate the administration of that system in the Mauritius!

But it will be alleged, in reply to all this, that, the Slave Trade being abolished by Radama in Madagascar, and by the Imaum of Muscat, there is now no source from which slaves may be easily drawn to the Mauritius; and, moreover, that slave-trading being now declared to be piracy by statute, none but a few desperate characters will venture to engage in it.

As for the treaty with Radama, supposing it to be religiously observed on his part, (and, in consideration of the very large annual payment made to him by the British Government, which he would otherwise forfeit, this is possible,) it furnishes no security against the Slave Trade in those parts of Madagascar which are not subject to his dominion, and especially in those which are under French jurisdiction. The treaty with Radama cannot, in the slightest degree, interfere to prevent a vessel which may have cleared out at Port Louis in the Mauritius, with a destination to any place whatsoever (or "to sea" generally, which *there* is a very usual destination), from calling at Fort Dauphin, one of the French establishments in Madagascar; taking slaves on board there; landing them in the night at some inlet in the Mauritius; and appearing the next day at Port Louis, and entering at the custom-house there as returned from her voyage in ballast.

With respect also to the treaty with the Imaum of Muscat, it presents no effectual barrier to the introduction of slaves into the Mauritius by British subjects, which, in the present instance, is the crime to be specially provided against.

As for the peril which is incurred by British subjects who engage in the Slave Trade, and which, it may be argued, will of itself be sufficient to prevent any attempts at the illicit introduction of slaves, that risk, it is to be feared, is estimated in the Mauritius at a very low rate. It is perhaps not known in this country, that, notwithstanding the numerous and notorious infractions of the Abolition laws which have taken place in that colony, since it came into the possession of his Majesty, not one offender has hitherto been convicted and punished for slave-trading. A few individuals who were sent over to England for trial, were here convicted and punished; but no individual brought to trial for slave-trading in the colonial courts, it is believed, has hitherto met the reward of his crimes. To suppose, therefore, that the dealers in human flesh at the Mauritius should entertain any very lively fears with respect to the future, would be to accuse them of a strange inaptitude to profit by the lessons of experience. If it were credible that importations had ceased during the years 1822, 1823, and 1824, yet credulity itself can hardly suppose that they will not now be renewed. It is not to be hoped, that, in the absence of all effectual check from registration, as well as of

restriction on its admission under the precautions which courts would necessarily adopt. "The prevailing feelings of our juries against the credibility of Negro evidence in general, will be an ample safeguard against the bias it may be supposed to have. I have therefore, in the Bill I have framed, authorized its reception in all civil suits or actions, in which the owner is concerned, or where any White person may be charged with an offence punishable with death; for the reception of such testimony can alone do away with the reproach which now attaches to us, that not only cruelty but murder may be committed openly, and in the presence of hundreds; without the possibility of obtaining evidence for the conviction of the offender\*."—Mr. Pickwood further states, that he has adopted the penal clause on cruelty from the Trinidad Order, and has added clauses to secure to the slave a sufficiency of food, allotments of land, clothing, time, attendance on public worship, medical treatment, &c. (points not touched upon by the Order in Council.) We regret to observe the numerous and vexatious disabilities, and distinctions, which Mr. Pickwood has thought it necessary, we suppose in deference to West-Indian prejudices, to sanction and perpetuate in his Bill. Those disabilities and distinctions are stated to consist, in requiring that they should be provided with a pass on going abroad; in the mode of apprehending fugitives, and of the punishment for harbouring or concealing them; in searching their houses for stolen goods; in the sale of liquor or arms to them, or their obtaining goods under false pretences; and in the penalties attached to their being concerned in rebellion, or murder, or using words tending to rebellion, or in preparation of mischief; to their firing squibs or struggling with, or wounding, a White person; to their galloping horses through the streets; their cruelty to cattle; their gambling, or unlicensed dances; their pretending to witchcraft; and their preparing poison, having poisonous drugs in their possession. "These offences," he adds, "are not less offences in the White man than in the slave; but they are here especially provided against, as requiring, in some cases, a more summary mode of investigation, and a different punishment †."

\* It may be worth while pointing out how exactly the remarks contained in the Second Anti-slavery Report (p. 76), on that part of the Trinidad Order which relates to the evidence of slaves, tally with the observations of this intelligent lawyer and judge.

† But does not the principle so well laid down by Lord Bathurst, in the case of the Bahama Act, apply with equal force to the projected law of St. Christopher's? "Since the superiority of rank and education which belong to the White inhabitant is an aggravation of the offence committed by him, there is an injustice in assigning to the aggravated offence the minor punishment." The plan of the proposed Act is directly the reverse. It is to assign to the minor offence an aggravated punishment.—Mr. Pickwood observes, that these offences are not less offences in the White man than in the slave. But is it really so? Is it any offence in a White man of St. Christopher's to go abroad without a pass; to use words in preparation for mischief; to fire squibs; to struggle with, or even wound, a White man if in self-defence; to gallop a horse through the streets; to shew cruelty to cattle; to gamble; to have poisonous drugs in his possession? And if such acts are offences when com-

## XVI. SAINT LUCIA.

The communications from this island, which occupy a large space, commence with letters addressed to Lord Bathurst, from Major-General Mainwaring and Colonel Blackwall, who have successively administered its government. The sentiments expressed in these letters bear strong marks of the influence of West-India prejudice. (A. pp. 231—318.)

The state of the island, in respect to religious instruction, seems most deplorable; it being "without one Protestant minister, or Protestant place of worship," in the whole colony, or even one place of worship at Castries, the chief town, for the Catholics, who form its main population. In two or three respects, the slave code of St. Lucia is more favourable to the slaves than it is in our own colonies. "The evidence of slaves is received, excepting for or against their masters." The law permits, and even ordains, the celebration of the marriages of slaves, with the consent of the owner; but then, adds the Governor, "in this colony, marriage is little common among slaves; but that proceeds from the absence of religious instruction, not from any objection on the part of the owners, who would be anxious to encourage it." (Why then do they not?) "Marriage between slaves of different estates, is not known." The husband and wife, and children under fourteen, cannot be sold separately.

On manumissions, a sum of 90*l.* currency, or 43*l.* sterling, is payable as a tax; and for the continuance of this tax the Governor most ingeniously and earnestly pleads, having discovered that a tax is a great stimulus to industry, and a promoter of good conduct. He is willing, however, in deference to Lord Bathurst, to abate a part of this tax, but proposes to retain about a moiety of it.

Lord Bathurst had proposed to require a bond, in case of the manumission of children under a certain age, to prevent their becoming chargeable to the island. General Mainwaring (not being aware how strongly, with a view to defend taxes, bonds, &c. in cases of manumission, the West Indians generally had dwelt on the dangers of pauperism) answers with great simplicity, "I cannot conceive a case in which such a bond would be necessary for children, under the existing order of things: your Lordship may not be aware, that

mitted by a White man, why should they be punished more leniently in him than in the slave?—It is much to be lamented that the obnoxious clauses are contained in a Bill framed by so respectable a man as Mr. Pickwood. It is remarkable that in the neighbouring island of Antigua, no such disgraceful and unchristian enactment exists; and we have never heard that the very slightest inconvenience has there resulted from the omission. Are our West-Indian legislators so little acquainted with human nature as not to know that witchcraft, obeah, &c., acquire respect and veneration in the eyes of the ignorant, just in proportion as they appear to be regarded with apprehension by the more intelligent; whereas the true cure for the prevalence of a belief in these things is wholly to disregard them, and to apply our efforts, not to punish the superstition, but to enlighten the ignorance which is its source?

*there are no paupers in this colony,*”—obviously meaning, no free persons who are paupers. This remark equally applies to every other colony, however the fact may have been concealed or denied by colonial writers or orators, who have falsely alleged the apprehended charges of pauperism as their apology for taxes and other restraints on manumission.

The General entertains serious doubts as to the propriety of discontinuing to flog women. He thinks it may be possible, but speaks very hesitatingly upon the point, by means of tread-mills and solitary cells, to establish a *system of punishment* which might do away with the necessity of the whip; but the whip or martinet he thinks should be reserved *in terrorem*. But for female slaves, *on estates*, he is utterly at a loss to conceive what punishment can be substituted. The *unanimous opinion of all with whom he had conversed was, that the whip or martinet must be reserved as a punishment for the females*, the women being infinitely more difficult to manage than the men. He adds, “I have had a special report, from one quarter of the island, that since the whip has been discontinued for the women, the men make use of their wives to convey to their owners all sorts of insolent and insubordinate requests and observations\*.” I can perfectly understand the possibility of this being the case, and therefore cannot doubt that it is so †; as I am persuaded that the owner will not unfrequently punish the husband for the wife, if he be deprived altogether of the right of punishing this latter ‡.” As to abolishing the use of the whip in the field, “the planters are exceedingly apprehensive that, without this *badge of office*, the commander (driver) will not be able to enforce his orders.” If, however, the means of keeping up order and regularity on their properties, that is, enforcing labour, is reserved to them, they will no longer be disinclined to banish the whip.

To grant to the slaves a right of property, the General thinks would be subversive of the existing law, and will besides induce the slave to be dishonest to his owner, or to steal §. To establish savings banks will be extremely difficult, slaves being both mistrustful and incautious. (p. 231, &c.)

The letter of General Mainwaring is accompanied by some observations of the Attorney-General. He conceives religious instruction to be scarcely practicable, from the greatness of the expense, the aversion of the slaves, and the hopelessness of procuring ministers.

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\* This would imply, that as early as August 1823, the date of this letter, the flogging of females had actually been discontinued in St. Lucia. This however, as appears from subsequent statements, must have been a mistake; the planters having doubtless tried to impose upon him by this unfounded representation.

† And yet what was there to prevent the owner at that time from punishing this insolence in the usual way? The law had not yet been altered.

‡ What a shocking picture of the character of the very men whose humanity the General nevertheless praises, and on whose information he relies?

§ This mode of treating the subject affords a complete proof of the total want of property in the slave at present.

He defends the holding of the markets on Sunday. He objects to the proposed facilities to manumission, and for this strange reason: "There is no greater stimulus to labour for a slave than the desire of obtaining his liberty." And yet he proposes an impost to form a fund for their maintenance, because manumitted slaves are averse to work, give themselves up to excesses of all kinds, and are thus brought to a state of infirmity and misery\*. The regulations for restraining, deferring, witnessing, and recording the punishments of slaves, he thinks are superfluous and impracticable. "Such changes would give the death-blow to the subordination of the slaves, and would essentially compromise the safety of the master." In short, he adds, with evident horror, "the total subversion of the colony would be the result of such innovations." (A. pp. 236—247.)

Col. Blackwall's communications are in a similar strain. The proposed measure could not be made law in St. Lucia with safety to the planters or advantage to the slave. The existing law is decidedly adverse to the abolition of flogging females, and to the right of the slave to redeem himself. The existing circumstances too of the colony are such, that his Majesty's Ministers will no doubt see the propriety of deferring any amendment of the slave laws. The general state of society is far from being highly civilized. There is not one school in the island. The slaves have the intelligence of contentment and simplicity, but no instruction whatever. The proposed change, therefore, would be too serious a change to be carried into effect, without imminent danger to the public peace, and would impede, rather than advance, the cause of freedom. The owner, who now gives his slave every opportunity of exerting his industry in his own behalf, and of disposing of the produce of it, will at once deprive him; as far as may be in his power, of these indulgencies, and no law can be framed to prevent this. Manumissions, which go on rapidly at present, will be impeded rather than promoted by legislative enactments. The master, grateful for faithful services, may be ready of his own will to make any sacrifice; but if the law compelled him to do so, his feelings would be changed †. The most sanguine well-wisher to emancipation could hardly hope it should proceed faster than it does at present. Col. Blackwall views it as indispensable to make the slave look up to his owner alone for his freedom, as the reward of faithful service; and he urges Lord Bathurst that the slave should not be entitled to claim his freedom as a right, without paying a sum beyond his value, and producing testimonials of his good conduct. "My object," says this officer, "is solely to preserve to the master the affection of the slave, which he would unquestionably lose, if the slave considered every moment he worked for his master as a robbery upon that time he ought to employ to obtain his own freedom, or that of his wife and children. I enter as warmly as any

\* And yet the Governor affirms that there are no paupers in St. Lucia.

† The sooner such masters are deprived of the enormous powers they possess, the better.

man into the views of Government for the amelioration of the condition of the slaves;" but "I conceive it to be impossible to grant, without limitation, this right to the slave without destroying that relation between the master and himself upon which the happiness of both entirely depends." Such are the views of this West-Indian governor.

In a subsequent letter, he states, that he had made a tour of the island. The slaves are well and regularly clothed, fed, and attended to in every respect; a great degree of leniency and humanity was observed towards them; they appeared happy and contented, and their owners seemed to use their endeavours to make them so. And yet, notwithstanding these flattering representations of Col. Blackwall, the slave population, though consisting of many more women than men, appears, to be decreasing at the rate of two and one-tenth per cent. per annum\*. He ought to have reconciled this fact with his report.

On the 9th of September, 1821, Colonel Blackwall transmitted to Lord Bathurst, agreeably to his Lordship's instructions, the draft of an Order "embodying the whole spirit" of the Trinidad Order in Council. He contends strenuously, however, for the continuance of Sunday markets, for preventing slaves from holding lands, and against the slave's right to be manumitted on paying his value, unless he shall have previously obtained his owner's consent. He also proposes, that in all criminal prosecutions, against any White person convicted on the evidence of his own slaves, such slaves shall be sold, together with their husbands, wives, and children, and the produce paid to the owner. Two clauses are proposed to be introduced, which are improvements on the Order in Council—first, that no punishment shall be inflicted by any owner or other person upon any slave, in respect of any complaint made by him to the protector; but if any punishment is inflicted, it shall only be after trial and conviction before the proper tribunal; second, that not only slaves, but persons of free condition, shall be at liberty to purchase the freedom of their father, mother, wife, husband, child, brother or sister, who may still be slaves.

It transpires incidentally, that under the existing law all interrogations and examinations are secret, to the exclusion even of the prosecutor; and that of course, unless the law is altered, even the protector of slaves would be excluded from them; but surely this ought not so to be.

#### XVII. SAINT VINCENT.

An Act had passed the legislature of Saint Vincent in 1820, for consolidating the different laws relative to slaves, the humanity of which was highly vaunted as having anticipated all Lord Bathurst's improvements. It was doubtless an improvement on the old law of

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\* See Second Anti-slavery Report, p. 152.

Saint Vincent ; but, on being examined, it was found to be neither more nor less, with scarcely any variation, than a substantial transcript of the Consolidated Act of Jamaica of December, 1816. On the 26th of July, 1824, Lord Bathurst addressed a letter to the governor, Sir C. Brisbane, commenting on this Act of 1820, and referring him to the Trinidad Order in Council for the general grounds of his objections. Among other classes he objects to two, which enact, that if one slave assist another to go off the island, he shall suffer death ; but that if a White or free person assist him, he shall be transported, without saying for what period. Lord Bathurst's remark on these clauses is important, as involving a general principle of extensive application in colonial legislation, and which will be found already propounded in the case of the law of the Bahamas. "The offence for which such disproportionate punishment is provided by the former of these clauses cannot be considered as of a malignant nature ; yet it would be aggravated rather than palliated, both as regards the delinquency of the act, and its danger to society, under the circumstance of being committed by a person of free condition, as contemplated by the latter clause, which, nevertheless, provides a minor punishment." (A. p. 112.)

The Governor laid Lord Bathurst's communication before the legislature. The Council, in reply, "cannot refrain from expressing a hope that precipitance may be avoided in introducing untried innovations into this tranquil, happy, and hitherto contented country ; and that our rulers will deign to recollect the wise opinion on government, left to his country, by one of its most profound reasoners and writers, 'It were good that men in innovations would follow the example of time itself, which, indeed, innovateth greatly, but quietly, and by degrees.'"—The Assembly resolve that the whole matter do stand over. "I have been unwilling," observes the Governor, in his letter of the 10th of September, 1824, "to press the matter on the immediate consideration of the legislature, for two reasons ; first, I am confident it will be much more satisfactory to your Lordship and creditable to themselves, that all these improvements should be voluntary ; secondly, that were I instantly to have directed their attention to this subject, I might, perhaps, have acted with some precipitancy, and, by irritating the public mind, rendered them more obstinate opponents than it is your Lordship's desire. They have, until December next, 1824, time sufficient to weigh the nature and principles of the measures proposed." It does not appear, however, that a single step has since been taken towards the desired reformation.

#### XVIII. TOBAGO.

In 1824 the legislature of this island passed an act containing some improvements on their former slave-code. It admits slave evidence in the only case in which the Trinidad Order in Council has rejected it ; viz. in the case of the wilful murder or mayhem of a



slave by a White or free person, provided no White or free person had been present, and provided two slaves, unimpeached as to credibility, concur in their testimony. Clauses are also introduced for securing the personal property of the slave; for abolishing Sunday markets, and substituting Thursday; for allowing to the slaves thirty-five week days in the year for their provision grounds; and for limiting arbitrary punishment to twenty stripes; any number more than twelve requiring the presence of a free person besides the person who inflicts the punishment.

In this act, however, there are many omissions, and many objectionable clauses. To these Lord Bathurst calls the attention of the Governor, Sir F. P. Robinson, in his letter of 26th July 1824, referring him to the Trinidad Order, to which he wishes the law to be assimilated, and pointing out some specific objections to the act recently passed. He objects to the inflicting of capital punishment for the crimes of "compassing the death of a White or free person," "maiming of cattle," and "enticing other slaves to run off the island." Receivers of stolen goods are punishable with corporal punishment; but it is not specified that a knowledge of the goods having been stolen is of the essence of the offence. The powers of slave courts are too extensive for courts which are not courts of record. Other defects are pointed out, in addition to which there are the very serious omissions of the inadmissibility of slave evidence, except in a particular case: the marriage of slaves; the removal of all obstacles to manumission; and the regulation of the sale of slaves nearly related.

Sir F. P. Robinson, on the 27th October 1824, informs Lord Bathurst, that "there is great reason to fear the Colonial Legislature will not attend to the suggestions submitted to them respecting amendments and additions to the slave act." "To press them farther on the subject this session would answer no good purpose, and therefore it will be better to wait the event of the January sessions." But even this qualified hope lasts only a single day. On the 28th October the Governor writes, that it is his decided opinion, "that nothing more will be done towards the melioration of the condition of the slaves in this colony by the legislature." He transmits at the same time a message from the House of Assembly rejecting the Trinidad Order entirely. It could not, they say, be adapted to the island of Tobago, without equal prejudice to the interest of the master, and the good government and happiness of the slave population. The House is fully convinced that in the late act, they have gone as far as prudence and propriety can justify, and that in the present state of the slave population, to adopt all the measures recommended by his Majesty's Government, would be equally destructive of the interests of the master and the happiness of the slave.

#### XIX. TRINIDAD.

The whole of the papers connected with Trinidad, which are cou-

tained in the book A., have a reference to the promulgation of the Order in Council, which took place on the 24th May 1824, and to the subsidiary regulations which were found necessary either for giving effect to its provisions, or for supplying its defects. Into these it will be unnecessary to enter much at large. The substance of the Order itself, as it originally stood, will be found in the Appendix to the Second Report of the Anti-Slavery Society, p. 71.

Two proclamations have since been issued: the first, of the 23d June 1824, directs that, instead of being punished by flogging, female slaves shall thenceforward be liable to be punished, by their owners, by solitary confinement, with or without work, not exceeding three days; by field-stocks for the hands, during the hours of labour, not exceeding thirty minutes for each offence; by house-stocks for the hands and feet, with or without seats, during any period of the day, not exceeding six hours; by bed-stocks for the confinement of the feet during the night; handcuffs; distinguishing dresses, with or without stocks; distinguishing marks to be suspended from the neck; confinement, either solitary or otherwise, with or without task-work. These punishments may also be inflicted on male slaves in lieu of flogging: offences requiring a higher punishment are to be referred to the magistrates or tribunals according to their enormity. Regulations are also promulgated for the management of the Savings' Banks. The second proclamation is dated the 29th October 1824, and directs that nothing in the Order of Council, prohibiting compulsory labour on the Sunday, shall be construed to authorise any slave to hire himself to work, either to his owner or any other person, from sun-set on Saturday to sun-rise on Monday; provided, however, that in case it shall be absolutely necessary for the preservation of the crops or produce on any plantation, or for the prevention of essential injury to the same, slaves may be employed for hire between these hours, provided they voluntarily consent to do so, and provided they are so hired by their owner, or by other persons with the owner's special consent in writing; the lowest rates of wages, which shall be payable to slaves so hiring themselves, shall be fixed and made known by a public notice from the Protector and Guardian of slaves, and it shall not be lawful to pay them less than this fixed rate. It is further directed, that nothing in the Order shall be construed to prevent the employment between sun-set on Saturday and sun-rise on Monday, of watchmen, nurses, domestic servants, &c.; it being understood that no field labour, or labour in any of the ordinary works of the plantation shall take place, on any pretence of irreparable injury from delay, unless the slave shall voluntarily engage in it and be paid for it. It is further declared, that female slaves under the age of ten years may be corrected for faults as children of free condition are usually corrected; that the expenses of appraisement, on the manumission of a slave, are to be equally divided between the owner and the slave; that when a person's interest in all his slaves shall, by reason of his cruelty and unlawfully punishing his slaves, become liable to forfeiture, the sentence shall not take effect until the whole case, with all its particulars, shall have been reported

to his Majesty, and his royal pleasure thereon shall have been signified; and that the rights of third parties shall not be affected by such forfeiture.

In the Order, as thus framed and modified, Lord Bathurst remarks, "there is nothing which can give to the planters any just claim for compensation. I am as ready as any man to acknowledge and maintain that the slave must be considered as the property of his master. But the slave has *his* rights. He has a right to the protection of the master in return for his service, and the law must secure to him that protection. There is nothing in the provisions of this Order which goes beyond the limits which this principle prescribes. In most cases they do little more than what practice has sanctioned\*, or the law has already enjoined. The master is not deprived of the service of his slave on any day except Sunday; and it is to be hoped that no Christian master will so far forget himself as to claim indemnity for the loss of that which his religion must have taught him he ought never to require."

The Second Report of the Anti-slavery Society has already stated the grief and dismay which the promulgation of this Order in Council produced among the planters in Trinidad. In reply to the strong remonstrances of the colonists, the Governor refuses to suspend the Order; and he affirms, that "*the points comprised in it were recommended to his Majesty's Government by the whole body of West-India planters and merchants in London, as fit concessions on the part of the slave proprietors.*" It is important to bear this in mind. The remonstrants in Trinidad affect to regard the Order as the work of the abolitionists, while it is in fact the work of the West-India body in London.

In one of the many remonstrances presented to Sir R. Woodford by the inhabitants, and in which they ransack the English vocabulary for words sufficiently strong to express their dissatisfaction and their alarm, we find the following passage: "It is avowedly a measure by which the assumptions of theory are to be subjected to the test of experiment, to be falsified or confirmed; by which the philosophic legislator is to ascertain whether a slave can be raised from the lowest grade to a more elevated rank in society, and yet remain a slave, productive as property and subservient to the will of his master; whether a partial infusion of the best principles, extracted from a society of the highest order and refinement into a system radically vicious and bad, yet hitherto simple in its deformity, will, by the admixture, neutralize and improve the latter, or the whole explode by repulsion." To this remonstrance they subjoin a long series of questions as to the precise meaning of various provisions of the Order in Council; in reply to which Lord Bathurst afterwards furnishes explanations, which, in most respects, are satisfactory.

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\* Lord Bathurst, we fear, has not been well informed as to the extent of improvement which practice, in the colonies, had previously sanctioned, having probably taken the unfounded statements of some even respectable West-Indians to be true representations—such statements, for example, as that the whip is used not as a stimulus to labour, but as a mere badge of authority.

They ask whether the clause, prohibiting compulsory labour on the Sunday, forbids an exertion of the authority of the master to oblige lazy and indolent Negroes to work their grounds on Sunday, *as has been the practice* hitherto. Lord Bathurst's reply is to this effect: "The Order in Council distinctly prohibits the use of compulsion to induce a slave to work even on his own ground on a Sunday. The master is entitled to the labour of the slave for six days in the week, but he is not entitled to more; and out of the profits of the six days' labour the slave must be supported. The seventh must belong to the slave entirely for his own profit and advantage. I can perceive no difference in principle between the practice of purchasing food for Negroes, who are exclusively employed for six days in the service of their masters, for their support during the whole week, and of appropriating an adequate portion of time, during the six days, for the cultivation of their grounds. It is therefore evident, that in cases where the master adopts the system of provision grounds (which is most frequently the case in Trinidad), he can have no possible claim for the services of his slave on the Sunday, whether those services be for the execution of work exclusively to be performed for himself, or for the cultivation of provision grounds, by the produce of which he is to be relieved from the support of his slaves. Nor can he be considered as entitled to compensation for that day, or part of a day, which he may permit his slaves to appropriate during the six working days, for he makes this arrangement to supersede the necessity of purchasing provisions for his slaves."

It is to be regretted that the Order is perfectly silent on the important point of the quantum of time to be allowed to the slave in lieu of Sunday, over and above the time that had been previously allowed him in addition to it.

The 21st clause enacts, that on the prosecution of an owner for inflicting an illegal punishment on a slave, if the slave (not himself being a competent witness) shall be produced in court with the traces of recent laceration visible, and shall make a probable and consistent statement of all the circumstances, then the owner shall be bound to prove either that the punishment was not inflicted by him, or that it was a lawful punishment; and failing to do so shall be adjudged guilty. To this clause the planters object, that a slave might, from malicious motives, procure some fellow-slave to flog him, so as to create laceration, and then exhibit his sores in court as evidence against his master. But Lord Bathurst justly thinks that there is no probability of any such fraud being attempted.

It is objected to the clause which prohibits the flogging of female slaves, that they are thus placed in a superior state to persons of free condition. Lord Bathurst observes, that the objection does not prove the impropriety of the clause, but rather demonstrates the necessity of altering the law which sanctions such a mode of punishing free females. He intimates at the same time, that a law is meditated for improving the condition of the free People of Colour.

It is asked, whether the permission given to the slaves to hold

land does not virtually revoke the existing law of Trinidad, prohibiting slaves from cultivating the staple commodities of the island. Lord Bathurst replies, that in granting to slaves the power of acquiring land, the Order does not of course exempt them from any existing restrictions as to the mode in which the land may be cultivated by persons of their class and condition\*.

The Colonial Committee inquire, whether in the case of an old infirm slave having acquired property to purchase either his own freedom, or that of his son who might be in the vigour of life, such a slave might elect to remain in slavery himself, continuing a burden to his owner, and to free his son, who forms a valuable part of the owner's property: Lord Bathurst well replies, "This is a just right which the slave clearly possesses under the Order. The most powerful inducement to a life of labour and self-denial is destroyed, if the slave is not permitted to employ, as may please him best, whatever property he may acquire by his exertions. An old man might purchase his freedom at a cheap rate; but if he prefers labouring longer to purchase that of his son, such an instance of parental regard and self-denial would not make the father less deserving of support. Besides, if the father might not purchase the freedom of his own son, there is nothing which could prevent his making over to the son the means of purchasing it for himself. The prohibition, therefore, would not only be harsh but inoperative. Nor is the master really injured; for if the son be strong and valuable, the owner will receive his proportionable price. If, on the other hand, the father is old and infirm, is it because he has spent his youth and strength in habits of industry, and in his master's service, that he is unworthy of support?" Lord Bathurst adds his opinion, that, where either infants or old persons are redeemed for a valuable consideration paid to the owner, no bond for maintenance ought to be required. It is true that the slave so redeemed may become a public burden. Where a slave, however, is manumitted for a valuable consideration, the security is considerable. "Such manumissions can only take place with the concurrence of the slave himself, with his own money, or with the money of some one who has an interest in his welfare. It is not to be supposed that the consent would be given, or the money paid, if there were a reasonable prospect that the manumission would injure the party manumitted, by reducing him from a state of sufficiency to poverty and distress. A slave who can raise or possesses the means of purchasing his own freedom, will seldom belong to that class of persons who sink into pauperism. On this, and every system of law, frauds may

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\* What a hard measure is dealt out to the poor slave! His want of industry is assigned as a reason for withholding freedom from him; but, by positive regulations, restraining the application of his industry, all motive to its exertion is as much as possible taken away. He is not allowed to grow, or even to possess, a single article of exportable produce. Lord Bathurst appears to have been struck with the injustice of this arrangement in the case of Demerara. Is it less unjust in the case of Trinidad?

be attempted ; but the Protector of slaves will be bound to counteract such fraudulent practices \*."

The Order in Council, say the planters, has made slaves competent witnesses on producing a certificate from their religious teacher. It is asked whether the want of such a certificate will render a slave incompetent, who might, according to the pre-existing law, have been received as a witness. Lord Bathurst's reply is important. "The Order," he says, "furnishes a distinct answer to this question, by declaring that nothing therein contained shall extend to take away or diminish any power or authority which any court of criminal jurisdiction now hath to admit, in any case, the evidence of persons being in a state of slavery." At the same time, prior to this satisfactory explanation of his lordship, we should have been apt to form a different conclusion. If the whole community of slaves in Trinidad already enjoyed the privilege, in point of law, of giving evidence in courts of justice, we should have concluded that a clause, specially entitling those who obtain a certificate of competency to this privilege, was intended to operate to the exclusion of all others.

The set of papers B. contains a report of the operations of the Order in Council in Trinidad, during the first half year of its existence—namely, from June to December 1824. "It is alleged," says the Governor, in transmitting this report, "that many planters do not punish their slaves, even when they merit chastisement, from the dislike, and often from the inability, to keep the Record Book. But though this may have occurred, it is, I believe, equally true that the fear of their offence being recorded has also served to restrain the slaves. Cases of insolence and insubordination frequently occur among the female slaves, for which confinement would be a sufficient punishment, if it were persisted in; but the loss of the people's labour prevents all the benefit that might be felt from such a substitution. More serious offences were intended to be met by labour on the tread-wheel under the orders of a magistrate; but the distance of the majority of estates from Port of Spain prevents recourse being had to it."

The report of the Procurador Syndic, Mr. Henry Gloster, is very full. It contains a variety of information.

1. Criminal prosecutions at the instance of the Attorney-General, from 24th June to 24th of December 1824. These are eleven in number. (B. pp. 39—67.)

1. The King against Robert Gaston, the manager of La Puerta estate, for flogging a slave named Sebastian Mati, because he said he was sick, and afterwards beating him with a stick for the same cause, and breaking his arm. This was a case of much doubt, and the accused was therefore properly acquitted.

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\* His Lordship here furnishes a powerful reply to all those miserable slanders poured forth by the Rev. Mr. Bridges, and others of his class, against manumission, as converting the now happy slave into a miserable and helpless pauper.

2. The King against Francis, a slave, for assaulting and wounding a free Spaniard. The prisoner, being found guilty, was sentenced to hard labour in the tread-mill for four months, then to be punished with forty stripes in presence of the slaves of the neighbouring estates, and then delivered to his master.

3. The King against Plato Anguilla, a slave, for assaulting and wounding Richard Pearce, a slave. Not guilty—discharged.

4. The King against Jaques Grand Guile, a slave, for assault and murder of a free man, Telemaque. Not guilty of the murder, but guilty of the assault. The Court, however, deemed the confinement already sustained sufficient punishment, and discharged him.

5. The King against Jean Paul Ongell, a slave, for an assault on the overseer and driver of the estate to which he belonged. He was found guilty, and sentenced to seventy stripes in the presence of the slaves of the neighbouring estates.

6 The King against Robert Ramsay, a slave, for the murder of another slave. There was a second count for an assault. He was acquitted of the murder, but found guilty of the assault; but which was of such a nature that his previous confinement was deemed a sufficient punishment.

7. The King against two slaves, Hector Munro and L'Amour Roche, belonging to Belle Veu estate, for refusing to obey their master's orders, and resisting him and the overseer, and for seducing the other slaves to the same disobedience; and also for improper and insolent conduct towards the commandant of the district. The slaves on Belle Vue estate had usually had Friday given to them (out of crop, we presume,) for their own provision grounds. As a punishment for some laxity of discipline (not turning out in the morning earlier than half past six), the owner instructed the overseer to inform them, on Thursday evening, that the next day (Friday) would not be allowed them as usual. Only a few of the Negroes, however, came to work. The owner, Mr. Byam Redhead, sent the driver to inquire the cause and to summon them to work. They refused, saying they were entitled to that day. Mr. Redhead complained to Mr. Armstrong, the commandant. The commandant came upon the estate and called the Negroes together, and, being unable to discover the ring-leader, selected Hector for punishment. Hector said he would not submit to be punished. The commandant then ordered the driver to seize him. Upon this all the Negroes, among whom was L'Amour, began to run, looking over their shoulders and brandishing their cutlasses, (a fact, however, which was contradicted by most of the witnesses,) saying they were men, and would defend themselves. The women also behaved riotously, and ran off in another direction. The prisoners were found guilty, and were sentenced—Hector to eighty and L'Amour to one hundred stripes, under the superintendance of the commandant, and in the presence of a medical man.

8. The King against Jean Griffis, a slave, for the wilful murder of another slave; for assaulting and striking a watchman; and for steal-

ing two bunches of plantains. He was found guilty of the murder, and condemned to be hung. The Protector appealed to the Governor and Council, who confirmed the sentence. The prisoner suffered death accordingly.

9. The King against Anaclato Hospidales, a slave, for an assault on the manager of the estate on which he was a slave; and for assaulting and wounding two other persons of free condition. The manager and the slave had been dining and drinking rum together, and were both drunk. The outrage was clearly owing to this circumstance. The prisoner was found guilty, and condemned to receive fifty lashes, which ought rather to have been inflicted on the manager.

10. The King against William Dallaway, a slave, for being a notorious thief and vagabond, and for stealing a trunk of clothing of the value of fifty dollars. He was found guilty, and sentenced to receive eighty lashes with a cat-o'-nine-tails in the public market-place.

11. The King against Zaire Lingere a female slave, for running away for nearly two years from her mistress's service, and embezzling her property, to the amount of 120*l.* Zaire had been employed by her mistress, Madame Victoire Bernard, to sell goods for her, and had always conducted herself well, and made faithful returns of her transactions. She had been entrusted with goods to sell to the value of 500 dollars, and had paid about 400 dollars of the amount; but had absented herself since December 1822, with the remainder. It was proved on the part of the prisoner, that a free person, named Cæsar Mandingo, had taken from her, on credit, goods to the amount of 100 dollars, which he had not paid. She told him she would not quit his house till he had paid her. When, after some time, she returned to her own house, she found she had been robbed of the goods she had left there, and, being afraid to return to her mistress, had gone back to the house of Cæsar Mandingo, where she had been detained ever since. She was found not guilty, and discharged.

We have been more particular in recording the above eleven cases, making the whole of the criminal prosecutions, in which slaves were in any way concerned, occurring in six months, among a population consisting of upwards of 40,000 persons of all classes, 22,000 of which are slaves; because it has been asserted by the Trinidadians not only that the Order in Council would demoralize the slaves, and be productive of a multiplication of crime, but that, during the time it had been in operation, their anticipations had been more than verified. How little foundation there is for such an assertion, the preceding authentic details will testify. In the only two cases which can be referred to the head of insubordination to authority on the part of the slaves, the persons in authority were themselves evidently and chiefly in fault. In one case a man deprives his slaves of the day that had been usually appropriated to their own provision grounds, expecting them nevertheless to feed themselves. In the other, the manager sits down in the house of the slave, and gets drunk with rum belonging to the slave, and then prosecutes the slave



for having, when in a state of intoxication, induced by his own encouragement and example, committed an assault upon him. Nobody will deny that under these circumstances the criminals were punished with sufficient severity. The manager's pot-companion is visited with fifty lashes of the cart-whip; and the two assertors of their rights are condemned, one to 80 and the other to 100 lashes.

II. The number of slaves manumitted by private contract from the 24th June to the 24th December 1824, amounted to sixty-five, besides twenty-four manumitted before the Chief Justice, and eleven more whose cases were undecided, making in the whole one hundred. Of the eighty-nine actually liberated, twenty received their freedom without any valuable consideration, and sixty-nine purchased their freedom; the whole sum paid by them amounting to 10,206*l.* 18*s.* being on an average 147*l.* 18*s.* currency for each slave, or about 65*l.* sterling.

Ten cases occur of slaves applying for their liberty, but who, on being appraised, found the appraisement to exceed their previous expectations, and the funds they had accumulated therefore to be inadequate to their redemption.

III. Four actions had been brought by the Protector, for debts owing to slaves by free persons, and judgment was given in all of them for the plaintiff. The amount of these four claims was about 410*l.* currency.

IV. The returns of punishments for three months only, from 24th June to 24th September, are curious and most important. No fewer than 446 proprietors make a return of no punishment exceeding three lashes having been inflicted on their slaves during these three months. These 446 proprietors are possessors of slaves varying in number from 1 to 121, and, in the whole, of 5915 slaves, being upwards of a fourth of the whole slave population of the colony.

Returns of the punishments on 189 estates are given. They amount to about 1230 in three months, and include all inflictions above three lashes to the men, as well as those to which the women were subjected. One, two, or three lashes however, frequently repeated in the course of the day, might of course add largely to the sum of punishments, and there is nothing in the law to prevent the frequent repetition of these minor inflictions.—The number of women who are punished with confinement in the stocks for different periods of time appears to exceed the number of men who receive punishment by confinement and flogging. The largest classes of offences consist of noise, and neglect of work; insolence and disobedience; not finishing tasks; and being from half an hour to an hour too late in the morning; likewise the getting drunk; false pretence of sickness; quarrelling, &c. Not cultivating their gardens, is also a frequent source of punishment. Another is the failing to bring the required

portion of grass for the cattle; a work, be it remembered, which is quite an extra work, after the prescribed term of labour, in the field is over; and which, though a severe aggravation of the slave's toil, is never mentioned, except incidentally, by the West-Indians. Absence from prayers is also punished on some estates with the whip or the stocks. We proceed to make a few extracts from this record, merely as a specimen of its general tenor.

1. Jean Philip of Le Vivier—"for being absent from his garden on the Saturday afternoon, and not appearing at *grass* with the rest of the people, nor at prayers on the Sunday evening: also for refusing to turn out on Monday morning to his work, alleging he was sick; the doctor having visited him did not think proper to give him any medicine, but ordered him for duty the following morning\*"—punished by the manager with confinement for thirteen hours of the night in the bed-stocks, and eighteen lashes.

2. Grenville of Bon Air, "for striking and ill-using his wife," punished by the manager with twenty stripes.

3. May of Bon Air, "for being three mornings behind the others in going to work," punished by the manager with ten stripes.

4. Margaret Jones of Dinsley, "for bringing a small bundle of *grass*, and impudence when reprimanded," confined in the bed-stocks one night.

5. Paterson of Garden Estate, "for telling a lie on the overseer," put in the stocks; but on the next day he was taken out, the lie not being proved; but afterwards put in again, being found guilty of the charge, and punished with twenty lashes.

6. Jack of Golden Grove, "for bringing false charges against the manager," punished by the commandant with twenty-four lashes.

7. Jack Abole of Orange Grove, "for making a false complaint to the commandant," punished by the commandant at his own works with twenty-two lashes.

8. Gatto Campbell of Carapichaima Hall—"for doing bad work in the field, and answering the owner when found fault with, that it was well done: he returned only after being ordered twice, and with great reluctance and murmuring, to mend his work"—twelve lashes.

9. Martilla of Mount Pleasant, "for turning out late," in the stocks one night.

10. Frankey of ditto, "for going off the estate without a pass," confined two nights.

11. Paul Collins of Vineyard, "for disobedience of orders, and not bringing *grass*," punished with twelve stripes.

12. Peter Delezée of ditto, "for dancing to the drum after the hour appointed by Government," twenty-five stripes.

13. Mary Anne Babrick of ditto, "lost twenty-five minutes' work,"

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\* If the doctor gave him a day's respite from labour, it was a proof that his indisposition was not altogether feigned.

and was imprisoned in the feet-stocks one of the hours of noon of the same day.

14. Angolo of St. Francis and Frederick, "for saying with contempt to her master, that her clothing was not good, when it was proved that it was of *her* size," eleven hours in the bed stocks (being in fact the whole night).

15. Cannette, of ditto, "did not throw grass;" ten hours in the bed-stocks.

16. Rose Desirée, of ditto, "for coming after three o'clock P. M. into the field," nine hours in the bed-stocks.

17. Zabeth Robertson of Ross Park, "for not working her row with the rest of the gang as she ought to do," in the stocks during her noon time.

18. The same, "for not working her provision ground on the day given by me," in the dungeon for one night.

19. Catherine Bevarley of Union, "for being insolent and using insinuating language while throwing grass in the yard," confined her two nights and a day in the stocks.

20. Nelly Grievous, of Union, "for going out of the hospital at night, she being there as an invalid," confined for one night in the stocks.

21. Sally Nightingale, of Beausejour, for "neglecting grass twice," two days' confinement.

22. Fanny, of Montrose, for "idleness and false complaint of having a pain in her belly\*," confined in the stocks two days and two nights, and then begged to be permitted to go to work.

23. Valere Gine, of Chaguaramas, "faisant le malade," fifteen lashes.

24. Petit Jaques, of ditto, "ne voulant pas prendre les remedes du docteur," fifteen lashes†.

25. Sandy Couchi, of ditto, "porte une fausse plainte chez le commandant," par le commandant, twenty-five lashes.

26. Francoise Masson, of ditto, "ne voulant pas travailler depuis 3 jours a comte de sa grossesse, n'étant grosse que de 6 mois, et lui ayant donné des petits travaux," en prison 24 heures‡.

27. Francoise Negui, of ditto, "manquant a la priere," en prison et au tae 6 heures.

28. Polly Bonaparte, of Perseverance, for "disobedience and insolence," eleven hours in bed-stocks.

29. Gilbert, for "omitting to bring grass twice," fifteen stripes with the cart-whip.

30. On Plantation River, belonging to James Cadett, Esq. (a

\* Who could tell that the complaint was false?

† This, it must be admitted, is rather a sharp punishment for not taking his physic.

‡ Not choosing to work at all for three days on account of her pregnancy, being gone only six months, and having had light work given her; imprisoned twenty-four hours.

gentleman whose name appears conspicuously among the remonstrants against the Order in Council, having been Chairman of the Committee of Planters,) there are recorded 135 punishments of females "for neglecting provision-grounds, and refusing to work," &c.

31. Joseph Congo, of La Reumur, for "omitting to attend prayers," four hours in stocks\*.

32. Caroline, of Westmoreland, "came into the hospital sick, and refused to take medicine," two hours in the stocks.

33. Rose Rosette, of Constance, for "neglect of duty as washer-woman, and taking one day more than usual to wash the linen of the family," in the bed stocks twelve hours of the night.

34. Elizabeth Betsey, of ditto, "for abusing the driver for calling her up one hour before day to go to the mill;" the same punishment.

35. Marie Polly, of ditto, for "getting beastly drunk," the same punishment.

36. Andrew, of Las Cuevas, for "neglecting his garden," twenty-five stripes.

37. Timbo Congo, of Union, for "forgetfulness of duty," ten stripes.

38. Boco Louise, of ditto, "having born a child five weeks ago; the child died on the third day. On being ordered to go to work refused, and preferred going to the stocks." In the stocks twenty-three hours.

39. Jim James, of Bel Air, for "beating his wife," twenty-three lashes.

40. Providence Wilberforce, of ditto, for "getting drunk on Sunday," twenty three lashes.

41. Azzo, of Otaheite, for "impertinence," twenty-two stripes.

42. Zemire Congo, for "being pregnant, supposed by her reputed husband, having two spare husbands; creating a battle among them, and an uproar on the plantation;" two hours in the stocks.

43. Mial of Cedar Hill, "guilty of many faults; a barrel of beef robbed while in his charge, his ground neglected, off the estate without leave when he ought to have been at work, wishing to have a wife on the Endeavour Estate, though he has now, and has had for several years, a good wife on the estate where he resided;" eighteen lashes.

44. Frederick Shipley and Davy, of Endeavour, "neglect of order, and absence from throwing grass two nights;" twelve lashes each.

45. Margarete, of Plein Palais, "pour avoir manqué à la priere," a night in the stocks.

46. Hamilton, of Margaret's Hill, "for neglecting his watch,"

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\* Can any thing be conceived more absurd than this mode of instilling religion by the stocks and the cart-whip?

twenty-five lashes, and had his posteriors well washed with pickle, to prevent bad effects.

47. Huit esclaves femelles appartenant à l'habitation Columbia, "pour les avoir trouvé, toutes les huit, à ne rien faire," solitary confinement an hour at noon.

48. Philip Pirame, of Matilda, "frequent instances of disobedience, absence from prayers, frequent intoxication, riotous conduct;" twenty-one stripes.

49. A number of slaves on the plantation called Clydesdale Cottage are punished for "not getting grass \*," the men with about twelve stripes, the women with confinement in the stocks all night.

50. Grace Sulky, of Diamond, for "insolence and refusing to work," nineteen hours in the feet-stocks.

51. John Toussaint Michell, of Retrench, for "preventing the other Negroes from taking their task, saying it was too much, and putting into their heads bad ideas," twenty-five lashes.

52. Felix Mer, of St. Charles, "n'ayant pas fait sa tache, j'avais ordonné qu'il couche au *bed-stocks*: mais aussitot qu'il y fut mis etant parté d'un éclat de rire en signe du mepris qu'il faisait de ce châtement,"—fifteen lashes.

53. Three women of Union Hall, for "broiling in the Negro houses," (what the nature of this crime is does not clearly appear,) twelve hours' confinement in the stocks at night; and another, the same punishment, for absence from grass roll.

54. Thomas Hodge, of Woodlands, "for not turning out to work till half-past six o'clock, and being very insolent to the manager and driver," twenty-four stripes.

55. Philip Sydney, of ditto, "for having gone with a groundless complaint against the manager to the commandant," confined, by order of the manager, in the stocks for seven days, and fed on bread and water.

56. Richard Long, of ditto, "for leaving the estate on Sunday, and not throwing grass with the other Negroes," put in the stocks all Sunday night.

57. Amy Distiller, of Sevilla, "for refusing to work and telling a falsehood on the overseer," locked up in the sick-house for eight days.

58. On the Plantation Curep, seven or eight women are punished with being put all night in the stocks, for coming to work an hour after sun-rise.

59. Thomas Wilberforce, of Eldorado, "broke open a Negro house and stole a blanket;" twenty lashes.

60. Patrick Wilberforce, of ditto, "eating earth," fifteen lashes.

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\* It will be seen from these details what a sad aggravation of the toil of the slaves, as well as what a source of additional punishment is this cruel exaction of grass-gathering after the labour of the field is over. It is not enough that a slave should labour in the field from day-dawn to night-fall. He must then collect and carry a large bundle of grass for his master's horses or cattle. The hardships of this practice may be seen above, p. 30.

Some of the proprietors in their returns enter into details evidently for the purpose of exhibiting the injurious effects of the innovations introduced by the Order in Council. The following is a specimen.

“ Extrait du Registre de l'Habitation dite Le Fromager.

“ Ce jour Jeudy, vingt-neuf du mois de Juillet, de l'année mil huit cent vingt-quatre, à deux heures de l'après midi, le Negre nommé *Sulpice Florice*, mon esclave, âgé de dix-huit ans, étant sorti de sa case une demieheure après que les autres ont été rendus au jardin, habitude souvent recidivée qu'il avoit contracté depuis la proclamation des ordonnances du 10 Mars, 1824, qui interdit le fouet du commandeur, ne voulant aller au travail que long temps après les autres, malgré toutes les reprimandes que je pouvois lui faire et les menaces de punition s'il persistoit à manquer à ce devoir, il me repondit insollement, passant devant la porte de ma maison, en langage Negre, *ma sorti quand mon voulé*. Je lui dis que j'étois fatigué de ses insolences journalieres et que je le ferai chatier ; il repliqua fortement *oui*—vous dites ouï encore ? Alors haussant la voix, marchant à grands pas, il cria fortement a plusieurs reprises, *oui, oui, oui !!!* et fut au jardin rejoindre l'atelier avec des ris outrés. Le lendemain Vendredy, trente du mois, a six heures et demi du soir, trente heures apres son offence, je fis apeller le nommé Manuel Gaytan homme de couleur libre, Espagnol majeure, qui était dans une de mes cases à Negres, et en sa presence, je lui fis donner par mon commandeur, devant la porte de ma maison, quinze coups de fouet, étant debout et habillé de ses vêtements, et aussi en presence de l'atelier qui était rangé pour faire la priere du soir ; puis voulant après cela lui faire des remonstrances sur son insubordination journaliere, pour mettre le comble à ses insolences, à chaque parole que je proferai, il s'efforçoit de tousser avec violence, et si fortement qu'il etouffoit ma voix et me contraint de me taire. Les dernieres ordonnances ne permettant pas deux chatimens successifs, je fus obligé de me retirer avec la risée de mon esclave et d'avalier cette humiliation !!!

“ (ont signés) Le Chr. de GANNES.

MANUEL GAYTAN.

“ Ce jour Dimanche du mois de Septembre, de l'année mil huit cent vingt-quatre, à cinq heures de l'après midi, arrivant de la ville ou j'avois été pour entendre la messe, je demandai mon diner, qui ne me fut servi aussitot. Trouvant que rien n'étoit cuit, et qu'il y manquait le beurre que j'avois donné moi-même avant mon départ ; (en l'absence de mon epouse) je fis apeller mon cuisinier nommé Raphael Faxe, jeune Negre, âgé de vingt-deux à vingt-cinq ans. Il étoit deja parti et ne se trouva plus dans ma cuisine, je l'attendis jusqu' à sept heures du soir que je le fis encore appeller. Il repondit des cases à Negres où il se trouva et revint à sa cuisine ; je lui demandai d'ou il sortoit, pourquoi il s'étoit absenté avant que j'eus diné, parceque rien n'étoit cuit, sans apprêt, sans beurre et autres ingrediens qui entrent dans l'accomodement des mets ? Il me repondit avec

brutalité et forçant sa voix à outrance, que quand le diner étoit servi qu'il pouvoit s'en aller, qu'il étoit aux cases à Negres et que c'étoit de la qu'il avoit répondu. Je lui ordonnai de baisser sa voix. La bouche est pour parler me dit-il, et personne ne peut m'en empêcher. Je vais vous mettre au ceps lui dis-je, pour votre voix, vos cris et vos réponses insolentes et peu respectueuses. *Pou je n'irai point au ceps, parceque je n'ai rien fait ; on ne met au ceps que les volens, et je n'ai point volé !* Étant jeune et fort ingambe à chaque pas que je faisais, il s'éloignoit, se tenant toujours à une grande distance de moi. N'ayant personne auprès de moi que deux servantes incapable de pouvoir l'arreter, je fus forcé de me retirer. Le lendemain Lundi, à sept heures du soir les Negres rassemblés pour faire la priere, je fis appeler le nommé Manuel Gaytan homme de couleur libre, majeur, qui étoit dans une de mes cases à Negres, et en sa presence, je lui fis donner par mon commandeur devant la porte de ma maison douze coups de fouet, étant debout et habillé de ses vêtemens. Il ne proféra aucune parole pendant les coups qu'il recevoit, mais, le fouet cessant, il resta un gros moment debout dans la même posture, apres quoi pour brâver son maitre, il dit, *est ce tout ?* resta la quelque minutes et s'en fut !!!

“(Signés) Le Chr. de GANNES, Commandant.  
MANUEL GAYTAN.”

Only one marriage of slaves appears to have taken place in the six months, from 24th June to 24th December 1824.

The deposits in the Savings' Banks of Port of Spain, during these six months were 3517. 8s. currency.

## XX. VIRGIN ISLANDS.

Nothing has transpired respecting the progress of reform in these islands.

A return has been made to a requisition of the House of Commons for “information concerning a Portuguese ship, called the Donna Paula, wrecked in the neighbourhood of Tortola ; and the Negroes on board of which were afterwards removed to Bahia or Porto Rico, with an explanation of the circumstances attending the transaction, and the purposes for which they were removed.” The return (see paper M.) is most unsatisfactory.

The facts of this case appear to be, that, in September 1819, the Donna Paula, of Para in the Brazils, was proceeding from the coast of Africa to Porto Rico, with 253 slaves on board, when she struck on the island of Anegada. Of the slaves 240 were saved ; and 180 being put on board the British schooner Lord Wellington, of 53 tons, and 60 on board the sloop Elizabeth and Hannah, of 13 tons, these vessels were cleared out for Bahia, but in fact sailed for Porto Rico, and landed the slaves there. A salvage was awarded to the salvors of 8050 dollars ; but it does not appear by whom the salvage was

awarded, or by whom the slaves were ordered to be given up to the owners, and forwarded to Porto Rico. It was alleged that the person who was collector at the time had been induced to abstain from seizing these Negroes, as it was his duty to do, by a bribe of 1000*l.* The clearance by him for Bahia was obviously an intentional fraud. Indeed, how could a vessel of 53 tons, with 180 Negroes on board, and a vessel of 13 tons, with 60, have made Bahia? The whole affair was a collusive and fraudulent transaction.—A similar case of a wreck had occurred at the Cape of Good Hope. On that occasion the King's Advocate, Sir C. Robinson, and the Attorney-General, Sir R. Gifford, now Lord Gifford, gave it as their clear opinion, "That Africans cast on the shore of a British colony, in consequence of the wreck of the vessel in which they were conveyed as slaves, are not to be considered as slaves illegally imported, but as free persons; and in such case the law officers of the crown think that the Governor of the colony has no power to deliver up those Africans, without their consent, to the persons claiming ownership over them, either for the purpose of being dealt with as slaves in the colony, or of being conveyed to a foreign country, for the purpose of being so dealt with. In this case, as in the case of abandoned slaves, they are to be dealt with by the Governor as persons in such a situation, not being Africans, would be, and no claim for indemnity could be supported by owners, on account of such interference by the Governor."

On this opinion of these eminent lawyers there is a comment annexed; the author of which, however, is not named; but which appears to be nothing else than an insidious attempt to palliate the criminality of the transaction. "Such being the law of the case," as declared by the law officers of the crown, observes this commentator, "the 240 Negroes from the *Donna Paula* ought to have been received and protected as so many inhabitants or subjects of any civilized nation would have been received." "Subjects of a civilized nation, on being wrecked, would be enabled to support themselves by their productive industry of some kind or other; and being aware of the rights of property, as understood among civilized nations, would be more likely to respect it than poor ignorant Africans, imperfectly acquainted, as they must needs be, with the institutions of civilized life, and unaccustomed to that degree of personal labour and prudence which enables the poor in other countries, more advanced in civilization, to gain their subsistence by steady and continued industry; saving, when possible, the present reward in labour to support them in future times of sickness or want of employment. To leave such persons, without any other controul than that necessary for civilized people, would, in all probability, in such a poor colony as *Anegada* or *Tortola*, insure their destruction by famine or violence, unless the Governor be authorized to provide for them at the expense of the treasury of Great Britain." Undoubtedly it was very proper to recommend that some means should be taken to provide for such cases; but who, that had not had some favourite theory to



establish, would have thought of such an occasion of speculating on the comparative incapacity of Black and White, of Africans and Europeans, to sustain themselves? And yet might not this writer on the law of nature and nations be asked whether 240 Dutch or Russian seamen, or 240 French convicts proceeding in irons to Cayenne, wholly ignorant of the English language, wrecked on the island of Anegada or Tortola, could have done more to support themselves than 240 Africans? These could at least till the soil, which the Dutch or Russian seamen, or the French convicts, might not be able to do, without falling victims to the climate. And would not the police be, at least, equally effectual for restraining 240 Africans, delivered from a slave ship, as 240 Dutch or Russian seamen, or 240 French convicts, freed from all the restraints of discipline, if means were not taken to provide them promptly with necessaries? "Natives of a civilized country, on being wrecked, would be enabled to support themselves by their productive industry of some kind or other." And did not the Africans support themselves in their own country, and do not Africans now support themselves in the West Indies? Does he mean to say, that 240 European men, women, and children, passengers in a stranded vessel, could have supported themselves better in Tortola, by their productive industry, than 240 Africans? If he does, he can know nothing of Tortola, or he writes for those who know nothing of it. But he wishes to insinuate that emancipated Africans cannot support themselves by the produce of their labour as the lower classes do in other countries. And yet in which of the West-India islands are emancipated Africans, a burden on the public, as too many of the poor in other countries are? We cannot but regret to see an official document defaced by such statements.

The whole of the transaction which has caused this discussion still remains to be cleared up. It is discreditable to the national character, and most criminal in the immediate agents, and we trust it will be followed up to their exposure and punishment.

Information had also been called for "of any judicial proceedings which had taken place in the island of Tortola, in consequence of some alleged acts of rebellion or insubordination of certain slaves belonging to Mr. Pickering, in the year 1823." That information has also been given (see paper L.) though enveloped by the president of the island in some confusion. The facts seem to be these:—

Mr. Pickering, who possessed a large body of slaves in Tortola, had determined on removing them all to Trinidad. It was alleged that he had in the first instance obtained their consent to this removal, but of the correctness of this fact there is some reason to doubt. One thing is certain, that as the time approached for their embarkation, they manifested the very strongest reluctance to the measure: nor was this at all to be wondered at. They were almost all Creoles, natives of the island, who had near connexions on all the neighbouring estates, and who had, according to Dr. Stobo, one of the Judges who afterwards tried them, amassed some property, but

nearly the whole of which they would now be obliged to sacrifice : while they were to be transported, they knew not whither ; to some other colony where they might have to open new lands, and might be subjected to a variety of privations, and in circumstances new and untried, and, for aught they knew, far more severe than any they at present experienced. Such at least was evidently their impression of the fate that awaited them. In order to avoid it, a number of them, about the end of October 1823, abandoned the plantation on which they lived, and seized a boat belonging to it, probably in the hope of escaping from the island. They did not succeed in this project ; and a body of hunters having been sent in pursuit of them, they were forced to return to the estate. On the 17th of November, five of them were brought to trial for their rebellious conduct, and found guilty. The sentence pronounced upon them was, that three of them should receive on the next day sixty-three lashes on the bare back, and that two of them should receive thirty-nine lashes ; and that they should then be remanded to gaol, there to be kept in close confinement in irons, until they could be transported from the colony ; that they should be all banished from these islands for ever, as soon as possible, to such place as Mr. Pickering should think proper ; and that if they, or either of them, should be ever found voluntarily at large within any part of these islands, they, or either of them, should suffer death.

Without some such proceeding, Mr. Pickering would probably have found it a very difficult task to expatriate his slaves. The whole judicial machinery of the island was therefore called into action to aid his intercolonial slave-trade, and it proved successful. Not only the persons tried, but all the other slaves belonging to Mr. Pickering, now submitted to the hard necessity of their fate : they also embarked for Trinidad, the same place of exile to which Mr. Pickering had doomed the five convicts, who had been left by the court to his disposal.

The president of the island, Mr. Porter, who sat as a magistrate on the trial of these men, writes to Governor Maxwell, that at one time he was told he should " be called to assist in forcing these people on board." After this trial, however, he found that " happily there was no occasion to perplex myself, for *the Negroes went voluntarily ;*" (voluntarily indeed !)—" at least I heard nothing to the contrary."

President Porter, however, seems to have felt that this judicial proceeding required some justification. He therefore enters into a long detail of facts, to shew that for thirty-four years Mr. Pickering's Negroes had always been insubordinate and rebellious. Supposing this were true, what had it to do with this particular transaction, except to relieve the actors in it from some of the odium it must have tended to excite ? But that there had been occasionally sufficient ground for their insubordination in the excitement of that most painful of sensations, especially to men called to work under the lash, we mean hunger, comes out incidentally on the deposition of a

man that had been their manager ; for in testifying to one instance of great insubordination, which had happened while he was in charge of them, he proves that they must actually have been in a state of starvation. The weekly allowance to each Negro, he says, had been only two quarts of corn meal, and two mackarel ; but *provisions becoming scarce*, the deponent had reduced the allowance to three pints per week ; the regular allowance, be it remembered, in the Bahamas, as well as the prison allowance of Jamaica, being twenty-one pints per week. It appears, indeed, that under these circumstances of a starving allowance, Saturday was given them ; but Saturday could not supply the present cravings of appetite. Months must necessarily elapse before any effect could be produced by the Saturday, in raising provisions ; and in the mean time how were they to find strength on three, or even four pints of corn meal a week, to till either their master's fields or their own ? Giving them Saturday, under such circumstances, was absolute mockery, if intended as a present alleviation of their starving state.

Governor Maxwell is very properly anxious, in his communication on the subject to Lord Bathurst, to shew that this affair was wholly unconnected with the discussions which had taken place on slavery, either at home or in the colony, but arose entirely from the unwillingness of the people to be transported to Trinidad.

We have reason to know from private information that Mr. Pickering himself was averse to the measures of judicial severity which were pursued with respect to his slaves, being desirous of rather employing means of conciliating them to his purpose ; but to this lenient course, Mr. President Porter appears to have been strongly indisposed. So eager was he indeed to frustrate Mr. Pickering's intentions, that on the 7th of November he wrote a private letter to the sitting magistrate of Tortola, in which he thus expressed himself ;—

“ I agree with you, after having applied to the executive in the first instance, and represented the Negroes referred to as in a state of rebellion, it is certainly the duty of Mr. Pickering to state to me, or some other magistrate, that he has taken them, and to require that they may be dealt with according to law ; but as he has *not* done so, and as I have no reason to expect he *will* do so, I took the liberty to address you on the subject. I wish, as it is inconvenient to you to do the needful, *you* would mention it to your successor. Something tells me, that unless the matter be speedily investigated, it will not be done at all.”

Mr. President Porter's laudable solicitude, lest these poor creatures, thus goaded to insubordination by circumstances peculiarly entitling them to consideration, should, through the lenity of their master, escape punishment, proved effectual. They were tried and punished.

HAVING now brought the proposed analysis to a conclusion, we beg to offer a few observations upon it.

The first impression, which its perusal is calculated to produce, is a feeling of surprise and horror at the extraordinary state of society which it develops, as existing in a considerable portion of his Majesty's dominions. The laws now presented to the public are not obsolete statutes, the relics of some barbarous age, dragged from their obscurity by a painful research; they are laws framed in the year 1824, by men calling themselves Britons, and who, instead of being sensible that such laws outrage every principle of justice and every feeling of humanity, actually hold them forth as models of enlightened and beneficent legislation. But if the laws themselves be, as they are, a CRIME, what must be their administration in the hands of the men who framed them, and who do not blush to boast of them?

In the present analysis, as in Mr. Stephen's *Delineation of Colonial Slavery*\*, the colonists are made to describe their own system; the proofs of its iniquity being drawn from the colonial laws, from other colonial records of unquestionable authority, or from the evidence of colonial proprietors. We have heard much, it is true, of the improvement which has taken place in West-Indian legislation, and those who deny it have been charged with misrepresentation. But the public have now an opportunity of judging for themselves. In the ameliorated slave-codes now brought before them, they will find the proof, the irrefragable proof, of the determined pertinacity with which the colonists cleave to the worst errors, and most revolting deformities of their system †.—That such would be the result of a

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\* Though no attempt has been made to reply to Mr. Stephen's admirable work, it has been the fashion, with the partizans of the colonial cause, to decry it as containing nothing which is applicable to the questions now at issue. "It refers," they say, "to times that are past. A new system both of law and practice has grown up in the West Indies. Mr. Stephen's work may be very correct as applying to a former period; but, to read it now would be only a waste of time." Nothing can be more untrue than this statement, and the insidious propagators of it know it to be untrue; but they trust to the effect of its frequent and confident repetition, and of that indolence which leads men to avail themselves of any plausible excuse for not reading a volume of four or five hundred pages. We, on the contrary, have no hesitation in affirming, that whoever desires to obtain an accurate and comprehensive knowledge of the true genius, the governing principles, the whole frame and structure, the nature and effects, of our colonial slave-laws, must seek for that knowledge in the pages of Mr. Stephen's *Delineation*. Nay, if any of our readers will only take the trouble to compare the legislation of our colonies, during the past year, with the principles laid down in that work, they will at once perceive how singularly those principles serve to explain and elucidate the recent enactments, and how aptly those enactments illustrate and confirm its principles. Mr. Stephen's masterly production will be found to form at this moment the best commentary on the new laws which we have been analyzing.

† And here we beg our readers not to assume that they have fathomed all the depths of this system, merely because they have read the above brief abstract of a few of the slave codes. The acts themselves must be examined

reference of this great question to the decision of the colonial assemblies, we never doubted for a moment. We had been instructed by the wisdom and philosophy of many great authorities, as to the hopelessness of any benefit from such a course; and we had the still more impressive lessons of experience to convince us that we could expect nothing from it but disaster, disappointment, and delay. Our opinions on the subject have never been more admirably or accurately expressed, than they were by Mr. Canning, in a speech on the Slave Trade made by him in 1799. "Trust not," says that enlightened statesman, making the sentiment of a previous speaker his own, "*trust not the masters of slaves in what concerns legislation for slavery. However specious their laws may appear, depend upon it they must be ineffectual in their operation. It is in the nature of things that they should be so.*"—"LET THEN THE BRITISH HOUSE OF COMMONS DO THEIR PART THEMSELVES. LET THEM NOT DELEGATE THE TRUST OF DOING IT TO THOSE WHO CANNOT EXECUTE THAT TRUST FAIRLY. *Let the evil be remedied by an Assembly of freemen, by the Government of a free people, and not by the masters of slaves. THEIR LAWS CAN NEVER REACH, COULD NEVER CURE THE EVIL.*" "*There is something in the nature of absolute authority, in the relation between master and slave, which makes despotism in ALL cases, and under ALL circumstances, an incompetent and unsure executor even of its own provisions in favour of the objects of its power.*"

The eternal truth of these maxims, applied at the time to the Slave Trade, loses none of its force when applied to slavery; and it has been abundantly confirmed by the fatal experience of nearly thirty years, which have since elapsed, of protracted misery and oppression to the slave, and of unceasing resistance on the part of the colonists, to every effort to alleviate that misery or to terminate that oppression. What indeed now remains to us, but to act on the wise and salutary counsel given to us in 1799, and our past neglect of which has entailed so many evils on the wretched African race? LET THE BRITISH HOUSE OF COMMONS DO THEIR PART THEMSELVES, and let them not continue any longer to DELEGATE THE TRUST OF DOING IT TO THOSE WHO CANNOT EXECUTE THAT TRUST FAIRLY.

And this is a course which not only the Parliament generally, but those members of it, in particular, who are connected with the West Indies seem bound to adopt. It appears from the papers we have now had under review, that the Order in Council for Trinidad was framed (with the exception of one point, that of the evidence of slaves,) on the suggestion of the West-India body in England. The plan, therefore, was theirs; it was adopted on their recom-

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with close attention, in order to appreciate the whole extent of their injustice, oppressiveness, and cruelty. To convey an adequate idea of these, the analysis must have been extended to a most inconvenient length, and its object in part frustrated. Lawyers and Members of Parliament, we trust, will refer to the laws themselves, to which our work may at least serve as an index.

mendation, and was supported in Parliament by their concurrence. It has been contumaciously rejected, however, by the colonists; and now neither Parliament nor the West-India body can, with propriety, decline the only means of carrying their own propositions into effective operation. The measures already adopted constitute a formal recognition of the existence of certain evils, which the authors of those measures have pledged themselves to remove. To this extent therefore, at the least, we trust that the West-Indians will support Mr. Brougham when he shall fulfil his promise of moving the House of Commons on the subject. On them indeed, more than on others, it seems incumbent to second the motion for parliamentary legislation. Such a proceeding is necessary not only to vindicate the sincerity of their own professions in the counsel they have given to his Majesty's Ministers, but to rescue themselves from any share in that headstrong and ruinous line of policy which their brethren in the colonies seem determined at all hazards to pursue. If no one else were to take the matter up, we should consider the West-Indian proprietors in both Houses of Parliament as bound by a regard to consistency, and by a sense of justice to their wretched bondsmen, to call for the interference of Parliament. Not a few of them are the strenuous advocates of popular rights, and the sworn enemies of oppression, at least in Europe. Let them shew that the operation of their principles is not bounded by geographical limits, or by the colour of the victims of oppression, or by the degree in which their own personal interests may be affected by a denial of justice. They will then be able, when they re-appear on the hustings of those places which they represent, to vindicate more fearlessly and effectually their claim to the popular suffrage\*.

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\* One circumstance has occurred which weakens our reliance on the support which the West-India body at home are bound, in consistency, to give to those measures which are indispensable to the adoption of the reforms proposed by themselves. On the 6th of July 1825, soon after Mr. Brougham had given notice of his intention to move Parliament on this subject, a General Meeting of West-India Planters was held at the West-India library, 60 St. James's street, Charles Rose Ellis, Esq. in the chair, at which "it was unanimously resolved, That the West-India merchants, and other consignees of West-India produce resident in London, do charge in their accounts of sales, or accounts current, 6d. (instead of 3d. as at present) upon each cask of sugar, puncheon of rum, bag of coffee, and 1000 lb. weight of coffee, and in proportion on all other articles of West-India produce imported from the 25th day of March last to the 25th day of March 1826, into the port of London; and that the same be collected in such manner as shall be directed by the Standing Committee of the West-Indian planters and merchants, and be paid into the hands of George Hibbert, Esq. the Treasurer."

Similar imposts, we understand, have been laid in the other ports of the United Kingdom, into which West-Indian produce is imported. Nothing is said of the appropriation of this secret-service money thus levied by the mandate of the West-India club. But whether it shall go to assist in defraying the charges of contested elections; or in rewarding the services of certain periodical writers; or in paying for the circulation of such pamphlets as those of Mr. Grossett, Mr. Macdonnel, or Vindex; or in bearing harmless the too rash and fearless advocates of slavery; we trust it will only serve to stimulate, to more unwearied efforts, all who really feel for the interests of humanity and justice.

We have hitherto confined our remarks to the single point of legislation; and we think it has been shewn that it is the very height of fatuity to continue to look to the colonial assemblies for any adequate improvement of the state of the slave law. They are themselves the authors of every legislative wrong which is to be rectified, and of every oppression which is to be redressed. They consist, almost to a man, of slave-masters, or at least of the representatives of slave-masters, hardened by familiarity to the sight of those atrocities which have so shocked and astounded the people of Great Britain. And they are surrounded and controlled by a population of needy, ignorant, and profligate constituents, who derive their distinction from the utter degradation of the Negro race, and a wretched subsistence from the wages they receive as the drivers and coercers of slaves.

But the papers which we have analysed exhibit a view not only of West-Indian legislation, but of the administration of West-India law. Here a new field of horrors opens upon us. And here again we derive our proofs of the radical iniquity of the system, exclusively, from the recorded testimony of the colonists themselves. They are our witnesses. We do not confine this remark to those domestic punishments of which we have so curious an exhibition in the returns from Trinidad, and of which neither law nor justice, but merely individual caprice, is the arbiter. We allude rather to their criminal slave-courts;—to the nature and imperfections of the judicial returns from the Fiscal of Demerara; to the trials of the insurgents in that colony in 1823 (which, however, are not comprehended in the returns that form the subject of the preceding analysis);—to the impunity of the White insurgents of Barbadoes;—and, above all, to the reports of the trials of the alleged Black conspirators in Jamaica, in which every species of judicial irregularity appears to find a place;—and to the barefaced oppressions exercised in that island towards some of the People of Colour\*. Let these things be fully weighed, and neither the Government nor the Parliament can hesitate as to the imperative necessity of radically

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\* In the Postscript to the Royal Gazette of January 31 to February 7, 1824, we find the following paragraph:—"A foreign Negro, of the name of Louis Milord, who was apprehended the preceding day, underwent a long private examination yesterday before his honour the Mayor, and Hector Mitchell, Esq."

In the Jamaica Journal of March 13, 1824, we are told, that "two aliens were conducted to Port Royal on Thursday evening (March 11), and placed on board a vessel which sailed yesterday. The names of these individuals are Milord and Thompson, who were thus sent off, it is said, for adhering to certain dangerous political tenets, inimical to the welfare of the island. This, however, must be mere conjecture, for the examinations are kept quite private. Several other foreigners have been taken up within these few days."

Now both these men, we are credibly informed, had been slaves in Jamaica, but had, by the fruit of their own industry, effected their manumission, and were living in the enjoyment of the freedom thus honourably acquired, when they were arrested and transported as aliens. We trust that the grounds of these and of all the other illegal violences, of the same kind, which have taken place during the last three years in Jamaica, will be fully investigated by the House of Commons in the ensuing session.

reforming a system which produces such abominations as have been detailed;—such perversions of the very forms of law to purposes of cruelty and oppression, as can only find their parallel in the execrated proceedings of Judge Jefferies, or in the practical jurisprudence of Constantinople, Morocco, or Algiers.

These things must come to an end, and that speedily.—They must come to an end, because neither the government, nor the parliament, nor the people of England can tolerate them much longer; and even if the government and the parliament and the people of England should be so lost to a sense of their obligations, as to suffer them to continue, they must find their close in one of those convulsions which will involve White and Black, master and slave, the oppressor and the oppressed, in one common and undistinguishing and overwhelming calamity. Such must, sooner or later, be the effect of going on to delegate, to the colonial assemblies, the solemn duty, which Parliament alone can discharge, of giving, to the Black and Coloured Population of our colonies, the protection of law, and a pure administration of justice.

We are, at the same time, well aware of the preponderating influence which the West-Indian proprietors possess in both houses of parliament. This alone could have prevented, for twenty long years, the abolition of the slave trade. This alone could, for fifteen years more, have paralyzed every effort which was made to rouse the attention of the government and the parliament to the enormities of the slave system, and to the utter worthlessness and inefficiency of all the pretended improvements adopted by the colonial assemblies. To this cause must we also ascribe it, that almost every public functionary in the slave colonies, is either a proprietor of slaves, or the known partizan of the slave system;—that not only many governors, and judges, and attorney-generals, and fiscals, and registrars are taken from the class of slave-holders and their friends, but that, even under the new order of things this class has been made to supply protectors and sub-protectors of slaves, the very officers on whose zeal, fidelity, and disinterestedness its whole efficiency depends:—that we should be burdened with imposts, and our commerce fettered by impolitic and injurious restrictions, in order to enable the colonists to perpetuate their demoralizing and murderous system;—that the interests of one hundred millions of British subjects in India, in addition to those of Great Britain herself, should be sacrificed to about two thousand planters and merchants;—and that all the benefits which would have flowed to us from establishing international relations with Hayti should have been contemned, her overtures rejected, and her offered favours scorned, until she has at length been driven to throw herself again into the arms of France\*.

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\* No part of our policy is more inexplicable, on any rational principles, than that which we have pursued with respect to Hayti. It can only be accounted for by the predominance of West-Indian prejudices and West-Indian influence. During our war with Bonaparte we might have secured to ourselves the friendship, the commerce, and the assistance of Hayti: we were deaf to the most



We trust that the eyes of his Majesty's Government, of Parliament, and of the public will at length be opened to the real state of things;

urgent representations on the subject. By the exercise of the commonest courtesy, such as we scruple not to pay to the Dey of Algiers, or to the King of the Sandwich Islands, we might have conciliated the attachment, and made ourselves, in some degree, the masters of the destinies, of the Queen of the Antilles. We might have even succeeded in inducing its inhabitants to adopt our language and habits; as, at one time, their chiefs would have zealously concurred in promoting every measure which would have served to detach them from France.—We repelled their offers of friendship.—They went the length of even lowering their duties to the extent of one half in favour of England, in hopes of conciliating our goodwill. We treated even this liberality with disdain, and replied to it by an Act of Parliament, which prohibited all intercourse between Hayti and Jamaica.—They still persevered in their advances: they still continued to treat our commerce with peculiar favour. At length our recognition of the independence of the Spanish provinces in South America, without the most remote allusion to Hayti, whose claims for recognition were infinitely stronger than theirs; and the renewal of the insulting Act, prohibiting their commerce with Jamaica, left them no hope of obtaining that standing among nations, which they deemed essential to their independence and security, but by throwing themselves into the arms of France, and by sacrificing to her rivalry the interests of British commerce. It may not be known to our readers—it certainly was not known to ourselves, nor, as far as we have been able to discover, to any member of the House of Commons, unconnected with the West-Indians, or with the public offices of Government—that, in the very last session of Parliament, an act was passed which contains the following clause:—

“And be it further enacted, that no British merchant ship or vessel shall sail from any place in the island of Jamaica to any place in the island of St. Domingo, nor from any place in the island of St. Domingo to any place in the island of Jamaica, under the penalty of the forfeiture of such ship or vessel, together with her cargo; and that no foreign ship or vessel which shall have come from, or shall in the course of her voyage have touched at, any such place in the island of St. Domingo, shall come into any port or harbour in the island of Jamaica; and if any such ship or vessel, having come into any such port or harbour, shall continue there for forty-eight hours after notice shall have been given by the officer of the Customs to depart therefrom, such ship or vessel shall be forfeited; and if any person shall be landed in the island of Jamaica from on board any ship or vessel which shall have come from or touched at the island of St. Domingo except in case of urgent necessity, or unless licence shall have been given by the Governor of Jamaica to land such person, such ship shall be forfeited, together with her cargo.”

When the date of this enactment is compared with that of the treaty which has been concluded with France, we cannot doubt that Boyer was influenced by it to agree to the severe terms which were exacted from him, seeing how completely he was excluded, by that galling measure, as well as by our declining all official intercourse with him, from every hope of the favour or friendship of this country.

And now let it be calmly considered what will be our situation in the West Indies, in the event of another war with France. Our possessions there would not be worth a week's purchase. The whole navy of England, and a fresh debt of one hundred millions, could not save Jamaica from becoming the revolutionized dependent of Hayti. Nothing, in such an event, could avert our loss of that and our other slave colonies, but a previous radical change of our whole colonial system. We must raise the free People of Colour to the full enjoyment of their rights and privileges as British subjects; and we must proceed, with as little delay as possible, to give liberty to the slave. If we refuse to do this, the catastrophe we anticipate may

and that, no longer deluded by misrepresentation, or intimidated by menace, they will not suffer evils of such magnitude, and of such malignant influence, to be prolonged for a day, in deference to the sixty or seventy West-Indians who holds seats in parliament. Justice, humanity, a regard to our own honour and consistency, and above all the sacred voice of religion, loudly call upon us, without a moment's delay, to redeem our solemn pledges, and to take care that, "with a fair and equitable consideration, indeed, of the interests of all parties," "effectual and decisive measures" are now adopted "for ameliorating the condition of the slave population in his Majesty's colonies;" and for admitting them to "a participation in those civil rights and privileges which are enjoyed by other classes of his Majesty's subjects."

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be delayed for a few years, but it cannot, in the constitution of things, be far distant.

Those who desire to understand the nature of this new danger, and the means of averting it, ought to read two publications of Mr. Stephen, written upwards of twenty years ago, on the subject of Hayti, entitled *The Crisis of the Sugar Colonies*, and *The Opportunity*; works which will now be found to wear almost a prophetic air, such was the accuracy of the author's knowledge of the circumstances of the case, and his sagacity in appreciating their effects.

## POSTSCRIPT.

WE have already mentioned at p. 20, a further Parliamentary Paper of considerable importance, of which we should give some account at the close of this pamphlet. It is entitled, "Copies of the Record of the Proceedings of the Fiscals of Demerara and Berbice, in their Capacity of Guardians and Protectors of Slaves, with their Decisions in all Cases of Complaint of Masters and Slaves respectively against each other, and the Punishment inflicted, or Redress given, in consequence of such Complaints, from the 1st of January 1814 to this Time, as far as the Same relates to Berbice." It was ordered to be printed the 23d June 1825, and is numbered 476.

The Fiscal, Mr. Bennett, in transmitting these returns, observes, that until the year 1819, he had kept no minutes of the complaints of slaves; but that from that time he had taken minutes of his examinations, but not, except in a few cases, of his decisions. Since the present application was made for copies of the complaints, he has been more particular in receiving them, and he has added the decisions. The Return embraces a period from February 1819 to November 1823.

Under all these disadvantages, the materials before us are, nevertheless, very valuable. They admit us into the interior, the very penetralia of the slave system, which they exhibit in all its height and length and breadth and depth of deformity. It is out of our power, however to do more than select a few examples from the mass.

The first complaint on the list, we are sorry to say, is against a lady, Mrs. Sanders. Nine Negro men, on the 1st of February 1819, complain of a great want both of food and clothing. One man produces a bolt and shackles, with which the Negro women were often confined, the ancles and wrists crossways, by which they are bent double; and says he was twice confined in that way himself. He and three others went on one occasion to complain of hunger. Mrs. Sanders ordered them to be tied down and flogged with two drivers. It was on a Sunday: supposes he had sixty. They are made to reap cassava, and get firewood, every Sunday, till the greatest part of the day is spent. The women and children have no allowance; and the men are obliged to share their allowance, which is also a very scanty one, with them. These charges are denied by the lady. They are in part admitted, but in part denied, by her overseer. The Fiscal's judgment is not given. (pp. 5—8.)

On the 18th of August, 1820, the same lady again appears before

the Fiscal. The following is a transcript of his minute of the complaints preferred by her slaves:—

“ Negro *Sam* says, that his mistress is very bad; that the work is daily increased, so that they are unable to perform their task given them! That the last holidays when they got three days to dance at home, their mistress obliged them to work so hard afterwards as to complete the work lost in the dancing days: That his wife, named *Adjuba*, was locked up lately in his mistress's house for six days, her allowance being only one plantain daily, (complainant exhibiting some of their plantains); and that the very pot in which she got water to drink, was to serve her, by her mistress's order, as a *necessaire*: That his young master is very good, but his mistress is of too cruel a nature; that their allowance is very little, and that they get no clothing at all scarcely: Finally, begs that he may be sold elsewhere, as he is not able to bear it any longer there.

“ Negro *Louis* says, Mr. Hyneman bought him when very young, and sold him to Mr. Sanders; that from both of these masters he never was ill-treated; but since the death of Mr. Sanders his mistress treats them with cruel barbarity sometimes; that every Negro is obliged to bring home twelve bunches of shingles, although other Negroes bring but six weekly: That their mistress keeps them the whole Sunday employed with all sorts of trifling works: that they get only three cassava cakes a week, with a little bit of salt fish: Finally, that they get hardly any clothes;—wishes therefore rather to be sold than remain with such a cruel mistress; as certainly all of the Negroes one day or other, after so much suffering, will run away in the bush.

“ Negro *David* says, that he is cow-minder to his mistress; that lately one of the cows got sick, for which his mistress ordered the driver to tie him up as fast as he could, which caused dislocation at the time, and under which he is still suffering, (complainant looking rather sickly and having the marks of his flogging still visible on his posteriors); that he there received 150 lashes from Andrews by his mistress's order, who afterwards locked him up in the stocks in such a way that both feet and hands were fastened; that his mistress says, because he is cow-minder she gives him no Sundays, neither any allowance whatever. Requests to be sold.”

Mrs. Sanders appears before the Fiscal on two other occasions, to answer to similar complaints. On the last, 8th September 1823, the following is the Fiscal's minute of the case:—

“ Complaint of the Negro *David*, belonging to Mrs. Sanders:— That he is too much punished with the whip and tamarind rods; that he is employed to work in the kitchen, garden, and also as cook; that he is swollen; the soles of his feet flogged with tamarind rods; that his mistress says he is lazy, which is the cause of his being flogged; he was flogged with the whip lately; he has a beating at his heart, the cause of his illness; his posteriors shew that he has been lately punished, not to any excess, but the punishment much neglected: soles of his feet, examined, shew no marks of punishment;

the Negro appears to be in a dropsy, and as such is treated by the doctor who has charge of the barracks."

The son of this lady undertakes to defend his mother. He says, "that the Negro is a very bad character;"—that "little or no work is done by him, for on the least harsh word he runs away; he is a constant run-away. My mother will not allow him to be flogged, because he bears the marks of former punishment so very evidently; he did receive a slight punishment for running away; this punishment was inflicted by two small boys with tamarind rods, and it was to endeavour to shame him. My brother brought him to town five days ago to cook, and why he has run away I do not know; he was flogged by said boys under his feet with tamarind rods on account of HIS BACK BEING CUT UP."

"11th March, 1819.

"Plantation GELDERLAND:—*Nettelje, Julia, Lea, and Mietje*, each with an infant in arms, complain that no time is allowed them to nurse their children; that during the crop an equal quantity of coffee is expected and required of them as from other women having no children, or of the men; that a similar task is given them in weeding grass with the rest of the gang, which they are not able to perform, in consequence of carrying their children on their backs; if they fail, they are beaten in the manager's presence with the handle of the whip by the driver Esperance. *Nettelje* and also *Mietje* were flogged the day before yesterday by the carpenter *La Fleur*; they, with others, were weeding the dam; they had made a fire to drive away the sand-flies; they were seen by *Mr. Toel*, the manager, suckling their infants; he inquired if they had no work to do: they replied they had just taken their children up, who were crying; they were laid down and flogged; their coats were stained with blood. *Mr. Toel* took the fire up, and threw it in the trench. *Julia* was locked up in the stocks because she did not keep with the rest of the gang, and threatened to be flogged next morning; she is a young girl, with her first child. *Lea* complains that she is not allowed to suckle her child during her work; she was threatened to be flogged next day by *Mr. Toel*, at same time with *Julia*." (p. 13.)

"*Jane*, belonging to *Mr. Bourmester*, says her master gave her to his housekeeper *Grace*, who is constantly abusing and ill-treating her; she is often in the habit of kicking her, and beating her with any thing that comes to hand, sometimes with a fire-stick, sometimes with a piece of wood. Monday morning she was sent by *Grace* to look for wood; when she returned she took a piece of crab-wood she had brought, and beat her with it, and kicked her. Her master was not at home: she got breakfast for her mistress and a gentleman, *Mr. Harvey*. After breakfast, sent me for wood; I had just recovered from a fit of sickness, having had a blister on my belly, which was not yet healed; I felt faint, and was under the necessity of sitting down to recover myself. When I came home with the wood it was about 11 o'clock; as soon as I returned she began to beat and kick me, saying she hated to see me; a boy belonging to *Mr. De George*,

named Alexander, saw when she beat me, and a girl named Sophia, belonging to Sue Austerhem." (p. 14.)

"Complaint of the woman *Minkie*, belonging to Thomas C. Jones:— Says, Mr. Jones took her out of the barracks on Tuesday; after I got home he sent me to Mr. Henery; he would not buy me. He sent me to another gentleman, I do not know his name, but he lives in town; they both said my master asked too much money for me, and sent me back. I begged for a pass to look for an owner; he said no, he would put me down and cut my —, and would give me more than the law gives. I was then laid down and tied to three stakes, and Chance flogged me with a cart-whip; I got a severe flogging; I saw Mr. Layfield at his door with another gentleman, and Mr. Kerschner, the baker, saw it from his window. Mr. Jones bought me from Mr. Logie of Demerara. I have marks of severe punishment visible on me, old and recent floggings, all inflicted by Jones.

"Exhibits her posteriors, which are covered with a plaister, by order of the doctor, and apparently lacerated to that degree that the court judged it expedient to direct her not to uncover it." (p. 14.)

Mr. Jones said he *had* flogged her, and broke her mouth for her insolence. He had thirty-nine laid on her, and *they were well inflicted*. When he sent for her, he had no intention of flogging her; but after sending her to three persons for sale, and not succeeding, he told her she had often deserved a flogging; he then directed her to be flogged, and that they should be well laid on, which was done.

"August 23, 1822.

"Felix, belonging to Plantation Scotland, states, That he has had a Black woman upon the estate for his wife now two years; and the reason of his coming to complain is, that the manager of the estate takes her from him, although he has a wife of his own. He is always taking the Negroes' wives, particularly his wife (Felix's); for she has had a child for him; and since the child has been born, the manager is always punishing him and his wife without a cause. Some time ago ten of the gang came to complain to their master (Dr. Broer), to report to him that the manager had connection with their wives: their master promised to them that he would remove the manager from the estate, and place another one there. Upon this promise the Negroes returned to the estate; but since that they have never heard of another manager. Felix and his wife are daily punished, which has compelled him to come to your Honour for redress. He calls upon the whole gang of the estate to prove his assertions to be correct.

"On hearing this complaint, the Acting Fiscal proceeded to the estate, accompanied by Dr. Broer, the owner; and on questioning the manager and Negroes, in presence of each other, on the subject-matter of the complaint, it appeared that Felix had neglected his work, and was told he would be punished if he did not finish his task the next day, which he did not do; and therefore, supposing the manager would punish him, he went to the Fiscal to complain. This

being proved, *Felix was punished for his misconduct, and the manager severely reprimanded for taking improper liberties with the women on the estate, which it was evident he had done*; and Dr. Broer was therefore strongly recommended to discharge him from his employ." (p. 75.)

That *Felix* should be the person punished for misconduct, will appear very extraordinary to all who have not imbibed their notions of justice in slave colonies; and it is the more surprising that the fiscal should pursue this course in the present instance, as some time before he had addressed a letter to Governor Beard, then president of the court of justice (p. 15), in which he charges these very persons, Broer and his manager, specifically; first, with greatly overworking the Negroes; secondly, with severe flogging repeated on successive evenings, and with illegal instruments of punishment; thirdly, with making them work on Sunday; and fourthly, with considerably under-feeding them. The case was so gross that, notwithstanding an attempt on the part of the owner and manager to deny the charges, the fiscal ordered them to diminish the tasks of the Negroes, and to increase their food; forbade their being worked on Sunday; *threatened* the owner with prosecution; and told the Negroes if their wrongs were not redressed, they should complain again. They complain again; and this is the result.

June 26, 1819.

Brutus a watchman, belonging to plantation Providence, complained that "the manager wanted my daughter Peggy. I said, 'No.' He followed her. I said, 'No.' He asked me three times: I said, 'No.' Manager asked me again Friday night. I refused. Saturday morning he flogged me. This thing hurt me, and I came to complain."

"Peggy being sick, *Aqueshaba* her sister attended:—Says, that manager sent aunty Grace to call Peggy, and to say if she would not come I must. We said, daddy said must not go; I was too young. Grace left us and went to daddy; shortly afterwards she returned and tried to coax me to go, but I would not, as my daddy had forbid it. Grace went and told manager; manager sent to call Fanny; Fanny went. The manager was up in his room; and all of us, the Creoles, got orders to be watchmen at manager's door. I was watchman, Peggy, Frankey, and many more." (p. 30.)

The manager of this estate on another occasion (p. 89.) laid a Negro on the ground with two drivers over him, who gave him 100 lashes. His innocence being afterwards proved, he went to the manager for redress. The manager told him, "if you do not hold your tongue, I will put you in the stocks." He then went to his owner, Mr. Henery, who answered, "I cannot help it, it is not my fault, the punishment you had was the manager's fault." As he could get no redress from master or manager, he came to the fiscal. The manager endeavoured to justify himself, admitting that he had given him thirty-nine lashes, (the number allowed by law for any or for no offence,) and confined him in the stocks every night for a week. The

fiscal *reprimanded* the manager for punishing a Negro on such slight grounds.

A number of Negroes belonging to Mr. Elwes complain (p. 17.) of the harsh treatment they receive from him, and the slave Fanny his concubine. They are half starved, forced to work till four o'clock on Sundays, and also on holidays. The children get no allowance of food or clothing, (even girls of eleven and twelve going naked,) and are marked with the bush rope with which Fanny flogs them. One boy, eight or ten years of age, complains that she beats him, pulls him by the nose in a cruel manner, and pinches his ears most inhumanly. He gets no regular allowance, but lives on what he can get. His master makes him mind the horse, clean his shoes, burn the coffee, &c. &c.; never gives him any clothes, and when sick, after taking salts, makes him still perform his task. "This complainant proves, by many old marks on his back and posteriors, that his statement is not at all incorrect, and that he has often been severely dealt with." (p. 17.)

A Sambo girl, Betsey, belonging to Mr. I. F. Obermuller, says, she was washing a frock given her by her mother, when her mistress took it from her. She told her mistress it was hard to take her frock from her, as she never gave her any clothes herself. Her mistress complained to her master that she was insolent. Her master flew in a passion, and kicked her on the belly, so that she could scarcely draw her breath. The next day her mistress tore her jacket off. She again alluded to the hardship it was to have her clothes taken from her, but none given her. Mistress again complained of insolence, and master flogged her with a rope, and made her brother Jacob flog her. For the least trifle, she and her sister are locked up in the stocks, sometimes for three weeks, and fed only with two plantains a day. Her sister was locked up for a fortnight by her mistress, saying she had made the bed improperly, thereby causing the child to fall. Her sister denied it. (p. 18.)

Four Negroes belonging to Cotton-tree Plantation, the property of the Hon. W. Katz, complain of not being allowed time for breakfast; that they have to go to the field before cock-crow, and work in it till gun-fire, and then have to cut grass. They are confined in the stocks, and not allowed to go out even for the calls of nature. They complained to Mr. Katz, and he flogged them. The charges are denied by the manager and overseer, the persons, in fact, who are accused; and on their denial, the fiscal finds the complaint unfounded, and orders three of the complainants to be punished with seventy-five lashes, and one with fifty, in his own presence, in the marketplace!!! (p. 19.)

There are complaints also against Mr. Katz, from his estate of Philadelphia. *Amsterdam* (p. 46) says, the overseer "Davies is extremely hard against him, beating him on every trifling occasion. Gave him last Monday 25 rods of a dam, and as he was not able to complete this, Davies flogged him very much; after flogging he



told him that he would go to complain, which brought Davies into such a passion that he sent all the Negroes after him to catch him, but he escaped and came to town to complain. Says they get enough to eat, but no time, on account of Davies's heavy tasks, to prepare the same. Complainant, on shewing his posteriors, proves to have had of late a severe flogging." (p. 46.)

*Murphy* came to the fiscal to complain, instead of going to Mr. Katz; because three Negroes had gone to complain to Mr. Katz, and, without sending for the manager, they were flogged, and sent back, and the next day one of them was flogged again by the manager. (p. 58.)

May 27, 1819.

Seven Negroes, belonging to plantation Rose Hall, state as follows:—

"That they all were engaged by the manager to gin cotton for himself on their Sundays, for which he promised each 3 guilders a day; when, after working three Sundays, and receiving no payment, they declined to continue with this work. On demanding the payment, the manager called the driver to give them a d——d good payment:

"That they are obliged to bring every evening, after their work, an uncommonly large sized bundle of grass, (the measure whereof the deponent deposits herewith), and that when the measure is not full they are obliged to search for more grass in the dark:

"That in telling his master the hardness of the service, he flew into such a passion that he broke one of his (complainant's) teeth:

"That in coming in the Negro houses at night after their work, and inquiring after their things, the manager, when hearing this, takes them up directly and lodges them in the stocks; adding further, that in case they are not satisfied with him, they may go and complain where they please." (p. 20.)

Mr. Grade, the manager of plantation l'Esperance, is charged by the slaves with various delinquencies. A pregnant woman, named Rosa, was employed picking coffee with some other women. Thinking they did not pick enough or well, Mr. Grade ordered the driver Zondag to flog them. The driver did so. Rosa had previously objected to working, as being too big, and being unable to stoop; but the manager over-ruled the objection, and she went to pick coffee on her knees. When Zondag came to her, he said to the manager, This woman is big with child. The manager replied, "Give it to her till the blood flies out." She was flogged with the whip doubled. This was on a Friday. She was sent to the field on Saturday, but, being seized with pains in her loins, was sent to the hospital. The doctor examined her, and ordered her to the field again. On Sunday she was delivered of a dead child, after a severe labour. The child's arm was broken, and one eye was bruised and sunk in the head. This woman had had seven children before by one husband. The driver, Zondag, and several others, confirmed the above statement. The

driver, being particularly asked, whether, on his representing that Rosa was pregnant, the manager had used the expression, "Never mind, flog her till the blood comes," replied, "Yes." (pp. 25—27.)

A Negro woman named Laura, belonging to plantation Reliance, with a very young child at the breast, complains that she is not allowed to take her child to the field to give it the breast now and then, but is obliged to leave it with an old woman at home. When she steals from her work to the child and is discovered, the manager flogs her. She brought this child into the world with great pain; it is of a weakly constitution, and requires a mother's care, which she is not allowed to bestow. The manager does not deny any of the above facts, only says, that *the women with young children are not required to come out till half-past six in the morning, and they quit the field at half-past ten, return to the field at half-past one, and leave it at half-past five.*

The complaints are more frequent from Sandvoort, formerly one of the crown estates, than from any other plantation. "*Carolus* says he is sick and swelling, and that he cannot work, though willing. When he complains of sickness, the manager licks him, instead of helping him. Yesterday he was twice licked." (p. 33.)—"*Amsterdam* says he is afflicted with pains in his bones; he does his best, but cannot work as others who are healthy. Mr. Cameron licks him with a horse-whip, curses him, and when he goes to the hospital drives him away." (p. 34.)—*Mietje* (and her child Mars). "She says she is willing to work when healthy. She went yesterday sick to the hospital. Instead of getting physic, she received a flogging. She is still sick, and has come to complain." (p. 35.)—*Lambert* had a bad disease, and the manager would give him nothing. He ran away. His master, Mr. Cameron, states him to be a bad subject. He is admitted to labour under disease, but is directed by the fiscal to be punished!!! (p. 55. See also pp. 57, 59, 65, 75, 70, 77.)

The complaints are also frequent from plantation Beerensteen, where some of the Crown Negroes are placed, against the driver Zealand, but chiefly against the manager, Mr. Deussen. (pp. 24, 25, 34, 36, 40, 43.)

*Samuel* complains against his master Spangenburg, that the Negroes danced during the Christmas holidays from Sunday evening till Tuesday night. He proceeds thus:

"On Wednesday they went to work, but as some of the people were still inebriated, so the large task given them was not finished; the next day their task was renewed, with the addition of the remainder of the preceding day; that he, acting as driver, told his master it was impossible to finish the same; he (*Samuel*) himself being accustomed to the field work, could not accomplish it, much less the women; but his master, who knows very little of Negro work and treatment, insisted on the performance of the task given; consequently the task was not finished, and principally the women were short in this; the next day they (himself as a driver included) were all flogged; the number of people working in the field consists of four

men and three women, and they are so overwrought by their cruel master that they are scarcely able to keep it out, which is the cause of their coming to complain, his master saying that he has no fear of fiscal or any one else, but that he will flog them when he finds it proper. The Negroes at present in town with their master, if called, would attest this. They get nothing but a small piece of pork, a little fish, two pipes and some tobacco; nothing else; no clothes or any thing more; they get also a week only a small bunch of plaintains, and are generally very indifferently treated by their master. *Wishes* as his master is a person who is always flogging them, and who knows nothing of the work, that he, with his wife and brother, might be sold, being assured that they would be able to please a reasonable master, who understands the working and treatment of slaves." (p. 37.)

*Quamino* complains of his master, F. Brittlebank's general ill treatment.—

"Says, that some time ago many of them came to the ferry with the intention of going to town to complain, but were prevented by the ferrymen from crossing the Canje Creek; that the fiscal then came to the ferry and ordered three of them to be flogged, amongst which the complainant was one; that after flogging, the fiscal desired his master to dress his wounds well; but that, on the contrary his master did nothing to them when he came home, but rubbed his back, with brine and salt; that in consequence he has suffered very much by this neglect." (p. 37.)

*Scipio* complains against the same master, Brittlebank, of being overwrought and severely treated.—

"Came some time ago to complain, but was taken up at Jeffery's estate and confined there in the stocks for fourteen days: when he went home he got severely flogged; he was taken to the waterside and there flogged for fear of the whip being heard; his private parts, which he exhibits, are so severely wounded by the whip he can scarcely sit or stand. The Negro appears much emaciated." (p. 57.)

*Martin* complains against Mr. Davies, manager of Sandvoort—

"That on Saturday he was almost unable, through pain in his neck, to finish his work, but nevertheless completed it; that last Monday he went in the morning early to complain to Mr. Davies to give him physic; that Mr. D., instead of assisting him, ordered Billy of Sandvoort, the driver, with four other Negroes, to lay him down; that although he told Mr. D. he was never unwilling to work when well, he was, notwithstanding, flogged." (p. 39.)

*Philip* and *Leander* complain of Mr. Luyken, the manager of Bertingdigheid, killing all their hogs. *Leander* had ten killed at one time. For complaining they were put in the stocks. (p. 45.)

*Jenny* complains of her mistress, Elizabeth Atkinson, that she *beats her unmercifully, kicked and trampled on her belly, locked her in the stocks, and beat her on the back. In half an hour she miscarried.* Her child *Philip* is extremely ill-treated, and is never allowed to come near her. *The child is exhibited: marks of severe flogging over the whole body.* "Says she receives a good allowance." (pp. 45; 46.)

Three Negroes come to complain of Mr. Calmer of plantation Niew Stoop. One of them says, "That it is now the third time he has come to complain; that twice he has been flogged by the fiscal at the market; that he told the fiscal the last time he went, that in case his master troubled him again he would then come to complain also; that Mr. Calmer, the last time he brought him home, flogged and kept him in the stocks during three weeks; after which, on applying to his master for relief, instead of gaining it, was severely flogged the next morning, and locked up in the stocks again; after having been there a long time he was severely attacked by the scurvy, and although he begged hard to be allowed to go out and wash himself, was refused; he grew so ill, that his master was afraid of losing him, and therefore released him; he recovered, although very visible marks remain on his back: whilst in the stocks, his master gave him nothing to eat; whatever he got was by favour of the Negroes; he was not allowed to go out and ease himself, but lived in such a manner that it was impossible for any person to come near him; his master bought a chain and block at plantation Zuidwyk merely for him." (pp. 46, 47.)

General Murray, the late Governor of Demerara, well known by the share he had in the prosecution of Smith, the Missionary, and who, in his public dispatches, has always highly lauded the treatment of the slaves, has two estates in Berbice, Resolution and Buses Lust. On the 23d October 1821, the manager of the former estate, Hopkins, was reprov'd by the fiscal for having given three successive floggings to a Negro named *Mark*, who states, "He has been flogged severely by the manager, on account of complaining he was sick three different times; once 12, another time 39, and again 25 lashes have been inflicted; shews marks of severe flogging, and much neglected." (p. 49.)

On the 20th of November there is another complaint from the same estate. Michael says he is a Negro, and knows well he must work; but that they work from morning till late in the evening picking coffee, "and when he comes home, between six and seven in the evening, instead of going home to get some victuals, he is ordered to work till twelve at night, bringing mud from one place to another. Also on Sundays they are ordered to work, and if they should refuse they would be flogged."—*Philip* makes a similar complaint.—*Thomas* "says he is an old man, and the work that the manager gives him to do is impossible for him to complete, from the weakness of his body and state; for which he is always punished and kept continually in the stocks." (p. 50.)

The result of the complaints made to the fiscal is seldom given. In this instance it is given in very laconic terms, and will doubtless surprize our readers: "*Two* (viz. of the complainants) directed to receive SEVENTY-FIVE lashes!!!"

Again, on the 17th November 1823, at the very time when Smith's trial was proceeding, we have a complaint from ten *women* belonging to the same plantation.

"The governor, our master, when he purchased us, gave us a task, one hundred trees to be weeded and cleansed; with this we were satisfied: the manager, however, says this is no work, we shall not have task-work; he gives each Negro a row of three trees; if we do not finish the work given us, we are made to do it on Sunday; Ziemine, Maria, and others wrought in the field on Sunday; the manager had the driver locked up in the stocks." (p. 66.) "We are content and happy when our master comes, who talks and laughs with us; but as soon as he goes off the estate we are unhappy. We have no time to eat, none to cook; we have no eleven o'clock: we are not wrought by task. Our master gave us spoons; the manager is dissatisfied with this; he says the governor is too good, he minds us as if we were children; he says he cannot flog us, because that can be seen, but he will punish us with work. If any of the women be pregnant, no attention is paid to them; they are wrought as hard as the others; for that reason there are no children; manager says *he does not come to mind children*. The rows given us have each sixty trees; the bell is rung, but we cannot leave the field, because if the work given us be not finished, we are punished; the punishment is, we are to finish our work on Sunday. We all have wrought on Sunday; not one Sunday, but every one that any field work is left undone." (p. 66.)

On the 4th September 1823, a number of women belonging to plantation Prospect came to complain of bad treatment. The manager, Paterson, overworks them and gives them no time to eat. "We are now planting and supplying canes. The ground is so dry we are obliged to throw water on the beds before we can chop the earth." The work they had done the day before was reported to the manager at noon by the driver. The manager was unable to go himself from indisposition; but he ordered the driver, when they returned to the field at one o'clock, to go out and flog each of the strong women. The women expostulated with him, shewing him the extreme hardness of the ground, which they had to moisten before they could dig it; observing, that, if the cane plant were not well put in, the manager would again order them to be punished for that. The overseer, coming up at the time, repeated the manager's order, and six of them were laid down and punished with twelve lashes each. They proceed, "We are too much punished; we have no time to get our victuals; we have every night got work, whether the mill is going or not. Sunday night even is not excepted, when we must bring fire-wood from the canal mouth. Tuesday night we had to carry corn from the great house to the horse stable-loft. We were employed at this work till near morning. We carry home wood on Sunday night as well as any other, and the boatmen are employed in bringing wood on Sunday as on any other day. If any of us go out on Sunday we must be back in time to bring home grass and firewood for the kitchen. After that we must still go to the canal for firewood for the engine.

“ Mr. Ross sends two bunches of plantains for each Negro every week : one week the men get two bunches, and the women one ; next week we get two, and the men one ; the rest are kept for sheep and hogs. Mr. Ross sends tobacco ; we get none of that ; we get no molasses, although it is given to the horses, sheep, and hogs. If you are sick, or have a sore, and put in the sick-house, only one bunch of plantains is allowed, and the allowance of fish is stopped. Mr. Ross sends every thing to the estate very well, but we do not get it. The overseer's treatment is worse than the manager's ; since Caajee is come home, she is confined both legs in the stocks every night. Only four of us are allowed to take the magass from the engine ; in M'Cermot's time there were five of us to do this work. Our rum has been stopped for the week. Last night we received orders from the driver that we were not to come home to-day unless we finished our work ; we must boil plantains then for to-day ; the ground is so hard we knew we could not do it, and therefore came to complain.” (p. 60.)

It appeared, on farther inquiry, that they were well supplied with either plantains, or rice, or corn ; but no other part of the charges meets with a denial. The conclusion of the whole is thus given, and it will illustrate the nature of the protection which Negroes receive under harsh usage. Mr. Ross, the attorney, who was present, “ expressed to the manager his entire dissatisfaction of the women having been flogged prematurely, and at the Negroes being employed on Sunday night ; and promised the Negroes they should have redress in as far as their complaints were grounded, but expressed his disapprobation of their not having sought redress from him as the attorney of the estate, instead of seeking it from the fiscal ; and this conduct having been also pointed out by the fiscal, as a want of proper respect to their master, who from their own account plentifully supplied their wants, they seemed to regret the measure they had adopted.” (p. 61.)

Whether this be the same Mr. Ross, who is proprietor of Culcaim plantation, we know not ; but the Negroes of that plantation also make bitter complaints against their manager.

“ When the sun is down, if our row is not finished we get flogged. I received thirty lashes, so did Joe. We are taken to the stocks at night, and flogged next morning. We told the manager the work was too much ; that we had no time to get our victuals, and begged him to lessen the task : this was the reason we were flogged. There are plenty of plantains on the estate ; the manager, however, only gives us one bunch, and that is on the Sunday morning. We are very well supplied with fish. We are obliged to boil our plantains at night, and put them in a calabash to take to the field next morning ; we are obliged to eat them by stealth, we are driven so hard ; and before we can eat them they turn sour. When we come from the field, after this heavy day's work, we must work in the yard ; the punt brings wood to the canal, and we must carry it up to the engine ; other times we must haul up bullet-tree to the saw-pit. When we are grinding we know very well we must sit up late ; and of this we do not complain, knowing it must be done. We have complained to our

master, and he says that the manager, he supposes, troubles us because we don't mind our work ; we had no redress from him." (p. 57.)

These heavy complaints are referred by the fiscal, on account of the distance of the plantation, to Capt. Grant, a burgher officer. His letter of instructions on the occasion will throw no small light on the principles on which justice is administered to complaining slaves. After stating the heads of complaint, the fiscal observes—

"It must be needless for me to request the most impartial investigation ; and *although I am perfectly satisfied that Mr. Ross would not permit his slaves to be oppressed by the manager, yet some of the charges of complaints may require redress* ; and in such case I certainly shall recommend Mr. Ross to afford instant relief. *I am also well aware and fully confident that such recommendation would be needless* if the complainants had not lost sight of a duty incumbent on them, to have sought redress in the first instance from Mr. Ross, their proprietor, which they had ample opportunities of doing by his frequent visits to the estate\*.

"If, however, you find that the complaints are groundless, I request you will, by every means, endeavour to convince them of the same, to point out *how very unsatisfactory, unpleasant, and expensive such complaints must be to a proprietor of respectability and a good owner of slaves* ; and that although the complaints of slaves shall always command my ready and serious attention, and that whenever they are aggrieved I will exert myself to afford them relief, yet that the duty is no less imperious on me to punish such slaves, whose only motives in quitting their estates to prefer complaints proceed from idle and wanton dispositions, whose statements prove to be groundless and vexatious.

"*I would then recommend you to direct the said Negroes to be exemplarily punished in presence of the gang ; and one of them having asserted that* \_\_\_\_\_ *was the one who induced them to come to town to complain, he ought to receive fifty lashes, and the others thirty-nine each, well applied, and cautioned to refrain from further wanton behaviour, on pain of more severe punishment.*

"I also recommend you to request *Mr. Austin* †, the manager of 49, to accompany you, and afford you his aid and opinion in ascertaining the work done on the estate, and complained of." (p. 58.)

\* The Negroes distinctly say they had complained to Mr. Ross, and were refused redress.

† Of this Mr. Austin who is thus made Captain Grant's assessor, and in whom the fiscal reposes so much confidence, we have several notices in these papers. —Bob says, "That almost three weeks ago, the manager Austin met him in the morning whilst going to the field, and without giving him the least provocation called the driver King to lick him, which had been of such a nature, that he had been obliged to lie down some days, and on recovery thought proper to report this proceeding to his honour the fiscal. Complainant's back has yet the visible marks of this treatment." (p. 31.)

Trim says, "That he knows very well that a Negro is to work ; he does his duty but cannot please the manager, Mr. Austin ; that the driver is continually finding fault with and licking him too much ; that when complaining about this

The plantation Profit, in Dr. Pinckard's time, was a model of humanity towards the slaves. Times are now changed. The former possessor no longer lives, and the slaves are in the hands of sequestrators. The following is a specimen of their grievances:—

“Hutchinson, the manager, is too cross; that he will not give task-work, but works them by the day to that degree that they have no time to get their breakfast; he comes after 11 o'clock in the field, and says we do not work enough; the driver must give us twenty-five lashes every day. If we are flogged, we go to the burgher officer to complain; he gives us a letter to the manager; but he says I want no letter, and the complainant is laid down and flogged; two of the Negroes have letters they received from the burgher officer, which were given them by the manager after being flogged. We have no attorney, or at least we hear of none, and we have not seen one for five months; there is no fish nor salt on the estate; we have not had clothes, this makes the third year, nor have we pipes or tobacco; we make plenty of rum, but never get a glass of it; if we feel our skin hurt us, and complain of sickness, we are flogged; he then mixes salts, jalap, and calomel together, which is given to drink. Rose went to say she was sick; she was flogged with the whip, and is yet cut. The manager says we are making bargain; we do not know what he means; he makes us think upon what we don't want. Sandy shews some stripes upon his posteriors; he received them in the field from the driver by order of the overseer; he says it is for work, as we make a bargain not to work. Having made our complaint to the burgher officer, who never came to the estate, but gave us letters

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to the manager, he gets for answer, 'It is your master's work;' says, that when Negroes are sick and go to the manager, instead of giving them physic, he drives them away with a horse-whip." (p. 41.)

Rose says, "She lost her husband and child lately; that the manager treats her very ill; that the child whereof she was delivered died on the third day; that the manager made her go to work too soon after her delivery; that he locked her up at night in the stocks, and made her work in the day; that she told Mr. Kewley, her master, repeatedly, of the several ill-treatments which she received from Mr. Austin; but as Mr. Kewley gives her no assistance, she is obliged to come and complain." (p. 41.)

Again, Aug. 20, 1823, "Complaint of the Negro Harry, belonging to J. P. Chapman, of Demerara, hired to Mr. Kewley, proprietor of 49, Corantyn Coast:—States, that he is perfectly able to do his work, but not when he is sick; that he went to the manager to say he was sick; he made the watchman take me to the field, where I was flogged by the driver. I had the fever two days; I went to complain; I was put in the dog-house, where I neither ate nor drank; there is no sick-house on 49; I could not eat nor drink from sickness. If a Negro says he is sick, two Negroes drive him to the field at five o'clock; at night we are locked up; all the Negroes treated so. Some of the Negroes, from the bad treatment of the manager, have run away. One of Mr. Chapman's Negroes was flogged so often, and had so bad a foot, that he was obliged to run away in the bush; if he is dead or alive we do not know; he was one of the firemen, and walked on his hands and feet; he told the manager he could not stand to do work; he was laid down and flogged. Manager's name Austin."—*Harry is ordered twelve lashes by the fiscal*, on the statement of the proprietor, Mr. Kewley; which, however, only goes to rebut a part, and an inferior part, of the charges.



which were not attended to, and not knowing that we have any attorney or proprietor, we come to the fiscal to complain. We do not wish to run away in the bush, but we look for help. The manager came in the field the other day after dinner; as soon as he came into the field, he laid the driver down and flogged him; next Sandy, and then me; I asked what I had done; but four Negroes were made to hold me, and I was flogged. I went to Mr. Munro to complain; he told me the manager could not have flogged me for nothing; I suppose you gave him sauce. He went next morning to the manager, who said I had been saucy. I was locked up in the stocks day and night; I think I was confined two weeks; manager said I should stop there till Christmas, because I went to complain to Munro: I asked leave to go out to ease myself, and made my escape; the stocks are now full of people. Hannah has a severe cold, and complains of pain in the stomach; she says she is locked up in the stocks; the manager says if she dies he does not lose *his* money; the Negroes went to complain to the fiscal, and he came on the estate, and what did he do? Rose said she had a pain in her side, and begged for a blister; manager said he would give her a blister on her backside; she was laid down and flogged, the marks still visible." (p. 64.)

The Negroes of plantation Foulis complain of Dr. Munro, their owner, that they are made to work in the boiling house from eleven or twelve o'clock at night till eight or nine the next evening. They complain also of want of food. The fiscal proceeded to the estate, where he says he ascertained that the complaints were *in a great measure* groundless, but that *some* irregularities were chargeable on the overseers, who were admonished, and threatened with dismissal if they were not more attentive in future.

"Two of the complainants, who, it was proved, were guilty of insolence and disobedience of orders, were punished in presence of the whole gang, who were informed that any real grievance they had to complain of would always be attended to, but that they would be severely punished whenever their conduct was proved to be refractory and disorderly. A copy of the ordinance respecting the clothing and feeding of Negroes was then handed to Mr. Munro, who was informed that penalties would be rigidly enforced if the enactments were not strictly complied with." (pp. 6, 7.)

Sixteen Negroes of plantation Herstelling all unite in complaining that the manager "turns the gang out in the morning a long time before the gun fires at the fort, and at day-light all the gang are at their work. At breakfast time, when the bell rings, before the Negroes are able to put their victuals on the fire, the bell rings again to turn out; so that most of the Negroes go in the field again without breakfast. He states, that the manager gives them more work than they are able to do; and if the work is not done in time the whole gang are flogged. That their allowance only consists of one bunch of plantains and a little fish every week, and no more. He states, that when all the gang are at work, and two or three of them have not finished their task, for the sake of these two or

three people the whole gang are flogged, this happens almost every day in the week."

The head driver, being examined, states,—

"That on Thursday last he had a gang of sixteen men with him, weeding young canes in a field about 500 rods from the buildings: That the whole gang were at their work, and had got three beds weeded before the sun rose. An overseer, Michael Harrold, came to the field at seven o'clock, reckoned the gang, and directed the driver to see the work was properly done. About an hour after, the manager came to the field, and ordered the driver to flog the whole gang, with the exception of one man, Alexander, as the work was not going on properly.

"On inquiring into the truth of this statement, in presence of the attorneys of the estate, it appeared that although the manager's conduct was, *in some measure*, reprehensible, yet the complainants had greatly exaggerated their grievances. They were therefore ordered to return home, on the attorneys promising to go to the estate the next day to see that every real cause of complaint was remedied; and to warn the manager, that if the Negroes had cause to complain again, he would be immediately discharged." (p. 72.)

On the 3d of March 1823, nine Negroes, all women, belonging to plantation Port Moraunt, appeared to complain of the manager, that they are "constantly in the field from morning before gun-fire until late in the evening; that the work the manager gives is too much; they are unable to complete it, although they work during breakfast time." "Sometimes they are obliged to work on Sunday to finish the task given during the week; and often have no time to eat, from morning till night; if the row is not finished they are put in the stocks, and kept in until morning, when they are released and sent to work; sometimes the whole of the women are flogged for the sake of two or three not finishing their task. Last Friday the driver was flogged on account of his having allowed the women to come to the house to get breakfast, and they were sent all back to their work; the manager saying to them, that they had time to eat at night, and not in the day. On Saturday last the manager went to the field, and found that they had not finished their row, and immediately ordered four women to be flogged." (pp. 78, 79.)

"On investigation of this complaint," observes the fiscal, who, be it remembered, is himself a planter, "it appeared, that although the tasks given to the Negroes of the estate were not actually more than they could do in a day, yet that the manager was very severe upon them, and too frequently inflicted punishment without sufficient cause: he was therefore informed that his conduct would be vigilantly looked after in future; and if he continued the same system, the attorney of the estate would be recommended to discharge him from the management." (p. 79.)

The following complaint, from the same estate, was heard on the 27th March 1823, and the result will further illustrate the course of judicial proceedings in the slave colonies.—

