

**THE PROGRESS OF COLONIAL REFORM; BEING
A BRIEF VIEW OF THE REAL ADVANCE MADE
SINCE MAY 15, 1823, IN CARRYING INTO
EFFECT THE RECOMMENDATIONS OF HIS
MAJESTY, THE UNANIMOUS RESOLUTIONS OF
PARLIAMENT, AND THE UNIVERSAL PRAYER
OF THE NATION; PP. 1-47**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649352050

The progress of colonial reform; being a brief view of the real advance made since May 15, 1823, in carrying into effect the recommendations of His Majesty, the unanimous resolutions of Parliament, and the universal prayer of the nation; pp. 1-47 by Various

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

VARIOUS

**THE PROGRESS OF COLONIAL REFORM; BEING
A BRIEF VIEW OF THE REAL ADVANCE MADE
SINCE MAY 15, 1823, IN CARRYING INTO
EFFECT THE RECOMMENDATIONS OF HIS
MAJESTY, THE UNANIMOUS RESOLUTIONS OF
PARLIAMENT, AND THE UNIVERSAL PRAYER
OF THE NATION; PP. 1-47**

25
35

British and foreign with liberty
" " " " " "

THE
PROGRESS
OF
COLONIAL REFORM;

BEING A
Brief View
OF THE REAL ADVANCE MADE SINCE MAY 15th, 1823,
IN CARRYING INTO EFFECT THE
RECOMMENDATIONS OF HIS MAJESTY,
THE
UNANIMOUS RESOLUTIONS OF PARLIAMENT,
AND THE
UNIVERSAL PRAYER OF THE NATION,
WITH RESPECT TO
NEGRO SLAVERY.

*Drawn from the Papers printed for the House of Commons, prior
to the 10th of April, 1826.*

LONDON:
PRINTED FOR
THE ANTI-SLAVERY SOCIETY;
AND SOLD BY
HATCHARD AND SON, PICCADILLY; AND J. AND A. ARCH, CORNHILL.

M.DCCC.XXVI.

2. K

HT1091
E7

THE
PROGRESS
 OF
COLONIAL REFORM,
&c. &c.

ON the 15th of May, 1823, the House of Commons resolved, on the motion of Mr. Canning, "to adopt effectual and decisive measures for meliorating the condition of the Slave population in his Majesty's Colonies;" and expressed its hope that "through a determined and persevering, but judicious and temperate enforcement of such measures," the slaves might be prepared, "for a participation in those civil rights and privileges which are enjoyed by other classes of His Majesty's subjects;" "at the earliest period compatible with the well-being of the Slaves, the safety of the Colonies, and a fair and equitable consideration of the interests of all parties concerned therein."

In pursuance of this resolution, His Majesty's Government proposed to introduce into all the Slave Colonies the following reforms: viz.

1. To provide the means of religious instruction and Christian education for the Slave population.
2. To put an end to markets and to labour on the Sunday, and to appropriate that day entirely to rest and recreation, and to religious worship and instruction; and instead of Sunday, which had hitherto been the day on which, in most of the Colonies, the Slaves had cultivated their provision grounds, to allow them equivalent time on other days for that purpose.
3. To admit the testimony of Slaves in courts of justice.
4. To legalize the marriages of Slaves, and to protect them in the enjoyment of their connubial rights.
5. To protect the Slaves by law in the acquisition and possession of property, and in its transmission by bequest, or otherwise.

B

M270760

6. To remove all the existing obstructions to manumission, and to grant to the Slave the power of redeeming himself, and his wife and children, at a fair appraisement.

7. To prevent the separation of families by sale, or otherwise.

8. To prevent the seizure and sale of Slaves detached from the estate or plantation to which they belong.

9. To restrain generally the power, and to prevent the abuse, of arbitrary punishment at the will of the master.

10. To abolish the degrading corporal punishment of females.

11. To abolish the use of the driving-whip in the field, either as an emblem of authority, or as a stimulus to labour.

12. To establish Savings' Banks for the use of the Slaves.

Besides these important changes, as to the propriety of which, little difference of opinion has appeared to exist in this country, and even the West-Indian body have generally concurred,* there were two other points which formed the subject of much discussion, and to the expediency of which it was understood that His Majesty's Government assented.

One of these respected the question of relieving Negroes and persons of colour, from the operation of that unjust principle of Colonial law, which subjects them to be dealt with as Slaves, unless they shall be able to establish, by legal proof, their right to freedom. The other respected the policy of not permitting future governors, or judges, or attorneys-general, or fiscals, or religious instructors, in the Slave Colonies, to be holders of property in Slaves.†

The views which were taken of the condition of the Slave population by His Majesty's Ministers, and by the Anti-Slavery Society, may possibly have differed in some respects, and the former may have been led to think more favourably of it than the latter. But, thus far they were agreed; that that condition was such as to require those sweeping reforms which the above propositions involved, and which virtually conceded to the abolitionists the substance of their case. It was clearly impossible to maintain that such reforms were called for in our Slave Colonies, without admitting that the state of society existing there was at war with every acknowledged principle of natural equity, of common humanity, or of British constitutional law, and with the whole spirit

* Lord Bathurst affirms repeatedly, in his dispatches to the Colonial governors, that the measures he was anxious the legislatures should adopt, had "in almost every instance, been recommended by the principal planters resident in this country."

† See substance of the debate in the House of Commons, 15th May, 1825. Preface xxvi—xxxiii.

and genius of the Christian religion, and that therefore the most prompt remedial measures were called for.

His Majesty's Government appeared to have felt so strongly the force of this necessary inference from the facts of the case, that a fortnight was not suffered to elapse, after the resolution of the 15th of May, 1823, had been adopted, before brief instructions were sent to the governors of the different Slave Colonies, to have it forthwith carried into effect; and these were followed, in a few weeks, by further instructions still more ample and peremptory, to the same purport.* The abolitionists are accused of impatience, because they complain of the delay of three years which has already taken place, and of the much greater delay which, on the present plan of proceeding, is likely to take place before the proposed work of reform shall have even effectually commenced. But what was the language of Lord Bathurst, His Majesty's Secretary of State, as early as the 9th of July, 1823, in conveying to the Colonial governors His Majesty's commands?—"I have most earnestly to impress upon you," says his lordship, in his circular letter of that date, "the NECESSITY of proceeding to carry these improvements into effect, not only WITH ALL POSSIBLE DISPATCH, but in the spirit of perfect and cordial co-operation with the efforts of His Majesty's Government." "If you should meet with any serious opposition, you will lose no time in transmitting to me the necessary communication, in order that I may take the EARLIEST opportunity of laying the matter before Parliament, and submitting for their consideration such measures as it may be fit to adopt in consequence."

It may be inferred from the language of this dispatch, as well as from that which His Majesty's Ministers held in parliament, that at this time they were not fully aware of the real state of things in the West Indies, or of the general temper and feeling of the Colonists; and that they relied on a ready compliance with requisitions so reasonable and moderate in themselves, and so consonant to the universal sentiment of the British parliament and public. They were in vain warned, by persons who assumed to be better informed upon this point, that they had embarked in a hopeless undertaking; that the Colonists would prove inflexible by any recommendations which could be addressed to them, or, indeed, by any considerations short of authoritative interference, on the part of the Government, and of Parliament; and that the course it was determined to adopt, must end in delay and disappointment, if not in insurrection, and all its concomitant evils.

Even in those Colonies in which (having no local legislatures) the King alone possessed the power of framing laws, it was deemed right

* See for these instructions, the Society's Second Report, Appendix D.

not to issue the requisite orders on the subject, but to submit the propriety of adopting the proposed changes to the Colonial authorities, and to await their decision. The result was such as those who knew them best had fully expected. The clamour against improvement was no less loud, the resistance to the Royal recommendations no less unqualified, in the Colonies subject to the Crown, than in those possessing assemblies of their own. The universality of this opposition on the part of the Colonists, the occurrence of tumult in Demerara, the fabricated plots in Jamaica, and the bullying remonstrances which burst concurrently from every part of the West Indies, appear to have had no inconsiderable effect on the measures of His Majesty's Ministers. Instead of coming down to Parliament to complain that the recommendations of His Majesty had not been carried into effect "with all possible dispatch," and "in a spirit of perfect and cordial co-operation with His Majesty's Government," and to ask for further counsel, they determined on delay; in the hope that when the existing irritation had subsided, the Colonists would be induced to act from a sense of what was due to the dignity of the Crown and the authority of Parliament, and to the recognized claims of humanity and justice. The single measure, to which, in the second year, they limited themselves, was to embody their plan of reform in an Order of Council, which should take immediate effect in the island of Trinidad, and be presented to the other Colonies as the model of their legislation. This expedient has proved equally abortive with that which was first resorted to; and, at the end of three years, the work of reformation which Lord Bathurst so properly and so peremptorily required should be proceeded in with all possible dispatch, has, as yet, scarcely commenced in any of the Colonies, excepting Trinidad; and even there it was found impossible to induce the Colonists to pursue it in the required spirit of perfect and cordial co-operation with His Majesty's Government. It became necessary to resort to compulsion, as affording the only means of carrying their plans into effect. No discretion was allowed to the local authorities. The Order in Council was imposed and enforced by the peremptory mandate of the Sovereign. Trinidad, therefore, is the only Colony where the proposed reforms have been carried into any thing like effect; and even there they have had to encounter from the first, and they are still encountering the decided and avowed hostility of the whole White Population.*

As the Trinidad Order has been exhibited to all the Colonies, as the

* See the Parliamentary Papers, *passim*, under the head Trinidad; the Society's Second Report, p. 1-7; and the Slave Colonies of Great Britain, p. 86. It is the second edition of this last work, which is quoted throughout.

model to which they are to assimilate their Slave codes, it is important exactly to ascertain the degree in which it may be considered to have successfully embodied the various reforms, which were originally contemplated by Ministers, as the first step in their progress towards the final emancipation of the Slaves. To this end it will be necessary to take in succession the different points mentioned above, and to show how far they have been effectively provided for by the Order in Council.

1. The Order speaks of some future time, when effectual provision shall be made for the religious instruction of the Slaves ; but it contains itself no regulation whatever either for the instruction of adults, or the education of children.

2. It is not until the effectual provision, thus indefinitely spoken of, shall have been made, that Sunday markets are to cease ; and, meanwhile, they are to be held only before ten in the morning of Sunday. The master is at the same time forbidden, except in the case of domestics, cattle-keepers, &c. to compel his Slaves to labour for his benefit on the Sunday ; and whatever necessary labour the Slaves may be induced voluntarily to perform for him, on that day, is to be paid for at fixed rates of wages. The Order therefore does not prohibit Sunday markets, except prospectively, and when religious instruction shall have been provided for the Slaves ; and yet it institutes no means whatever of such instruction. It further leaves the very important question of the Sunday labour of the Slave, in his provision grounds, for his own sustenance, wholly untouched. It has been most justly assumed by His Majesty's Ministers, as an undeniable position, that Sunday must be considered as a day belonging to the Slave : and this position has been clearly laid down by Lord Bathurst, in one of his dispatches to the governor of Trinidad. A question had been put to him by the planters of that island, as to their right of *compelling* lazy and turbulent negroes to work their grounds on Sunday, " as had," they say, " been the practice hitherto." His Lordship tells them that they are prohibited from using compulsion in this case, because they are entitled only to six days labour of the Slave in the week ; and out of the profits of these six days, the Slave must be supported. The master, therefore, can have no possible claim for the services of his Slave on the Sunday, either on his account, or with a view to the sustenance of the Slave. And for the time during the week which he may appropriate to his Slaves for their provision grounds, he can have no claim to compensation ; as the arrangement of allowing them land, and sufficient time for cultivating it, is adopted, adds his Lordship, in order to supersede the necessity of purchasing provisions for them.*

* See Slave Colonies of Great Britain, p. 81.

This view of the subject is clear and intelligible; and the fair inference to be drawn from it is that the Sunday should be given wholly up to the Slave, while, to use Mr. Canning's language, *equivalent* time should be secured to him on other days, for cultivating his provision grounds. But this equivalent time has not been assigned to him in the Trinidad Order in Council.

It had hitherto been the practice in Trinidad, and indeed in all Colonies that pursued the plan, which is there pursued, of making the Slaves support themselves by the cultivation of their provision grounds, to allot the Sunday and a certain portion of time besides, varying from 16 to 26 days, for that purpose; the master assuming a right of compelling the slave so to employ not only those week-days, but the Sundays also; and it being often a part of the ordinary duty of the inferior overseers on plantations to visit the negro grounds on Sunday, in order to ascertain and report which of the Slaves were engaged there, and which were not. What precise number of days, besides Sundays, were allowed to the Slaves in Trinidad, for the purpose of raising their own provisions, is no where specified. Had the Spanish law been adhered to, as it ought to have been, the Slaves would then have had 52 week days and 30 holidays, besides the Sunday; which they might have called their own, and which they might have employed in raising food, and in acquiring the means of effecting their own or their children's manumission.* This merciful law, however, has not been enforced under the English government; and it is believed that the number of week days in the year, allowed to the Slave, has at no time exceeded 26, if it has even amounted to so many. If this apprehension be erroneous, it will be easy to correct it by producing the law of Trinidad on the subject.

What then is the situation in which the Trinidad Slave is placed by the Order in Council? The Sunday ceases to be a day of compulsory labour: Lord Bathurst justly affirms the right of the Slave to its absolute and undisturbed enjoyment; and yet no provision whatever is made by this Order for giving him equivalent time in lieu of it. The Slave, it will, perhaps, be said, may still work his ground as formerly on the Sunday. Without doubt he may. But was this the intention of His Majesty's Government, or of Parliament? Was it not intended, *bona fide*, that the *Sabbath* should be what its name designates—a day of rest, as well as of religious worship, to the Slave? And let the fact be supposed that the clergymen, or missionaries, who visit Trinidad, should succeed in conveying to any considerable number of Slaves proper impressions of the sanctity of the Sunday, and of the duty of devoting it to purposes of religious worship and instruction, would not the

See for proof the Society's Second Report, Appendix A, p. 72 and 77.