



No 4265.429







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# LETTER

TO THE

PRESIDENT OF THE LIVERPOOL

## ANTI-SLAVERY SOCIETY,

BY

4265.429

RICHARD RATHBONE,

A MEMBER OF THE COMMITTEE.

20TH APRIL, 1838.

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LIVERPOOL:

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TO  
JAMES CROPPER,  
PRESIDENT OF THE LIVERPOOL ANTI-SLAVERY SOCIETY,  
THIS LETTER  
IS ADDRESSED,  
WITH THE MOST RESPECTFUL FEELINGS OF ADMIRATION  
OF THE  
ENERGETIC AND COMPREHENSIVE PHILANTROPHY WHICH HAS  
MARKED THE WHOLE OF HIS EMINENTLY USEFUL LIFE,  
BY HIS OFTEN-OBLIGED,  
AND VERY GRATEFUL AND AFFECTIONATE FRIEND

*Y Nov 9570 C.10*

THE AUTHOR.

WOODCROFT,  
20TH APRIL, 1838.

*Sept 23 1871*  
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## LETTER.

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WHILE endeavouring to procure signatures to the Requisition for calling a Public Meeting, to petition in favour of Sir Eardley Wilmot's intended Motion for the immediate extinction of the system of Negro Apprenticeship, I have been much surprised at hearing, offered as a reason for *not again* petitioning, the often-refuted charge of a *breach of compact towards the Planters!*

I beg leave of my readers to occupy their attention for a very short time, while I direct it to a *matter-of-fact* view of the subject, which I hope may annihilate this apology of the indifferent—this subterfuge of the designing.

The simple state of the case is this. An Act was passed in the year 1833, to *take effect*—(*would that it had done so!*) on the 1st of August, 1834, “For the Abolition of Slavery throughout the British Colonies,” upon certain terms. Allow me to bring before them, once more, the explanatory declarations of the purport and intentions of this Act, by Mr. Secretary Stanley, in the House of Commons; and, at a later period, by the then Colonial Secretary, Lord Glenelg, in the House of Lords,—extracted from the extremely valuable Report of our almost invaluable Secretary, the Rev. Mr. Bevan.\* These were the words of Mr. Stanley.

“That from and after the 1st day of August, 1834, Slavery shall be, and is, utterly abolished, and declared unlawful throughout the British Colonies, Plantations, and Possessions;—and, that the power of the whip, as a stimulant to labour, shall cease;—that females shall not be flogged;—that neither master nor local magistrate, but only special magistrates, shall inflict punishment;—that

\* See Appendix, No. II.

the allowances hitherto granted by law shall be continued;—that the Negro shall be liable to work for his master for a certain number of hours each week—but that, subject to this obligation *only*, HE SHALL BE FREE;—that no part of the money (that is, of the Twenty Millions) shall be paid, until adequate and satisfactory provision has been made for carrying these principles into effect. I propose, then, that every Slave, on the passing of this Act, shall forthwith have the power of claiming to be put in a situation in which he shall enjoy all the privileges of a Free Man,—*in which he shall feel no taint of his servile condition*,—in which he shall be freed from the atrocious system of irresponsible corporeal punishment,—in which he shall have the full enjoyment of his domestic ties,—in which he shall not be compelled to see those that are nearest and dearest to him insulted by punishment, or liable to degradation,—in which his evidence shall not be disputable in a court of justice,—in which his right to property of every description shall be as undisputed as every other class of the King's subjects,—in which he shall enjoy every right and every privilege of a FREE MAN, subject to this restriction, and this restriction only, that he shall, for a certain time, remain under contract to labour industriously in the service of his present owner, but his then employer.”

On the 13th of June, 1835, in a despatch to the Marquis of Sligo, as Governor of Jamaica, Lord Glenelg thus writes:

“Between his Majesty, the British Parliament, and the People of Great Britain, on the one hand; and the Persons entitled to the services of the manumitted Slaves on the other,—there may, with little impropriety of language, be said to exist a solemn compact; to the faithful performance of which either party is bound by the most solemn obligations. If, on the one hand, the payment of the compensation-money is the inevitable duty of this Country, it is no less clearly due from the Colonial Legislatures, that *they should strictly adhere to every one essential or valuable provision* of those laws which have been accepted by his Majesty, as an ‘adequate and satisfactory’ performance of the condition



which Parliament imposed upon them at the time of making the grant. For the Council and Assembly to retract any part of the offer deliberately made by themselves, and on the footing of which their right to participate in the compensation-fund was established, *would be an infringement of the original compact*, to which his Majesty could never assent."

From the declarations of Mr. Stanley, *as*, from the Act itself, it is manifest, that the Slaves were to be made *free* immediately, subject to certain reciprocal conditions, one of which was, that Twenty Millions of Pounds Sterling should be paid to the owners of Slaves *when*, but *not until*, adequate and satisfactory provision had been made for carrying the *principles* of the Act *into effect*. Preparatory to the payment of the money, Mr. Secretary Stanley announced that "such" adequate provision *had been made*; and, in unsuspecting confidence,—most unwisely, and most unfortunately,—the money was accordingly *paid*. In order to enable my readers to judge for themselves, in how far the Negro, "subject to the obligation of labour only," *has* "enjoyed all the privileges of a Free Man," *has* "felt no taint of his servile condition,"—and in how far the Colonial Legislatures *have* "strictly adhered to every one essential or valuable provision" of the Imperial Act, and *have not* been guilty of "an infringement of the original compact," and *did* "make," preparatory to the payment of the money, "adequate and satisfactory provision for carrying the principles of the Act into effect," I refer to a very striking document, drawn up in London, from the confessions of Lord Glenelg's speech, in February of this present year, which I have reprinted for that purpose in the Appendix.

Now, the Country, the payers of the money, contend that, whether it was a *Law*, which the subjects of this government were bound to *obey*, or a *Compact* between two parties, which *both* the contracting parties were *equally* bound to *fulfil*,—the owners of the slaves, the receivers of the money, have alike *disobeyed* the law, and have flagrantly *violated* the compact. The authentic evidence, from various quarters, upon

\* See Appendix, No. I.

this point is indisputable, and the admissions, above referred to, of Lord Glenelg, upon the introduction of his *new Act* to *amend* the ineffective *former Act*, are more than sufficient for its confirmation. This, then, is the simple state of the case,—and *my* object is, to dissipate the mist which seems to obscure the *reasoning powers* of many worthy persons upon this subject, by asking them, *What would* have been their feelings *if* another and wiser arrangement had been made? For this purpose, allow me to *suppose*, that, instead of paying the whole amount *at once*, the arrangement had been, that upon “adequate and satisfactory” *proof* being afforded that the *principles* of the Act *had* been carried into effect, up to the 1st of August, 1835,

Two millions of money had been paid,  
 Two millions more, in like manner, in 1836,  
 Two . . . . . in 1837,  
 Two . . . . . in 1838,  
 Two . . . . . in 1839,

and the remaining ten millions on the 1st of August, 1840, on the same “adequate and satisfactory” *proof*, that the apprentices *were* then, in *every* respect, including all claim to compulsory labour, truly and entirely free men. There would, in this case, have been occasion only for faithful *Inspectors*, rendered by their powers *absolute*, and by their provision and appointments *independent* of the planters, to *ascertain*, and, when the *facts justified* them in so doing, to *certify*, that the owners of slaves *had, so far*, carried into effect the *principles* of the Act. Allow me, in continuation, to *suppose* the case of the planters *not* having complied with these provisions, during the *first* of the six years of *probation*, and that, consequently, on the 1st of August, 1835, the first two millions of the twenty had been *withheld* from them! *Would*, I ask,—*would* any man, in his senses, have accused the legislature of this country of injustice, or charged the petitioners for abolition of slavery with a breach of compact? Certainly *not*! The breach of compact would have been charged, of course, upon the planters, who had *violated* the

compact,—who had *disobeyed* the law. It is only to follow out this *supposed* case (which, *unhappily*, up to this time, is *not supposed*) to the *end* of the term, and let me ask *common sense*, or *justice*, whether the planter would have been entitled to *any* of the annual *conditional* instalments? Common sense and justice would equally, and at once, say *No!* And if, on the 1st of August, 1840, “satisfactory” proof could *not* be afforded by the planter, that the apprentices were virtually and bona fide *free*, *where* would have been the planter’s claim to the *ten* millions?—It would have been, *with* the money, in the pockets of the good people of this country; and until the planter had “satisfactorily” complied with the *conditions* of the *contract*, he would not have been entitled to, and he would not have received, one single farthing. In *this* case, there would have been *no occasion* for *amending Acts!* If the West Indians had tasted the sweets of an annual payment of two millions, *pari passu* with *their* fulfilment of *contract*,—and if they might have received *all* that was *unpaid* of the *twenty* millions, whenever they had given unreserved freedom to their apprentices,—*who* can doubt that every one of those unhappy beings would, *long ere now*, have been *as free* as the British air which *we* are breathing?

The state of the case, *as it is*, only gives *tenfold* weight to the allegations of the petitioners! On the *faith* of the planter’s adhering to *his* part of the bargain, that is, to treat the apprentices as *free* men in *every* instance, except of compulsory labour for certain hours of certain days, the Country paid the *whole* sum in *anticipation!* *Where*, then, let me ask again, *where* is the *logician*, or the *honest man*, who will insult his own understanding, or his own heart, by declaring that the Country has *not* the *right* to demand from the planter the fulfilment of *his* part of the bargain, BECAUSE the purchase-money *was paid in advance?* It is not easy to crush down a feeling of indignation at any thing so utterly preposterous! Did *we not* bargain, *just as much*, for *all* the circumstances of the *intermediate* state?—for the intervening period of *educational* apprenticeship?—for all its intended *progressive* advantages and blessings to the Negro, *as* for his ultimate

and absolute freedom?—And did not Mr. Secretary Stanley assure the House of Commons, on the part of the West Indians, that *they* “ would *heartily* and *sincerely* concur in carrying out the intentions of the British people and parliament?”—Let me ask any *Lawyer*, of the *slightest* experience, whether *he ever* brought a fairer or clearer action for *damages*, arising out of breach of contract, than *we are* now *entitled*, and in strict duty *bound*, to bring on behalf of the abused and injured Negro? What burning shame, then, ought to crimson the cheek of *him* who should assert, that our claim to the performance of certain stipulations, or to damages for their *non-performance*, is *lessened*, or *weakened*, by our having paid *for that performance in advance*!! It is, indeed, difficult to *conceive* a more *illogical* conclusion, a more *ungenerous* view of the subject, or a more *unjust* interpretation of a solemn bargain and compact! But!—*we*, the *Country*, do *not* prefer our well-founded claim for damages on behalf of the defrauded Negro! *We do not ask* for one farthing back of the money obtained by promises which have been *broken*, although to *such* award, to *such* repayment, the apprentices are most justly, most righteously entitled! On the contrary, we have allowed more than three years of the six to pass away, *in the hope of better things*. In the meantime, we have seen the provisions of the original Act glaringly evaded. We have seen the legislature of the mother country grossly insulted by the rebellious legislatures of the colonies. We have seen, in an appalling number of instances, that neither governors of colonies nor stipendiary magistrates have been *able* to carry its provisions into effect;—and we are *forced* into the unwelcome conviction, derived from past experience, that multiplied *printed* provisions, and additional *parchment* powers, entrusted to the same parties, are little better than wasted *paper*, and much *worse* than wasted *time*! *Unless* the planters are *compelled*, by the complete emancipation of their apprentices, to treat them as *free men*, more than two years of injustice and oppression will be added to the black roll, already so “long drawn out;” and all the *amendments* of the *New Act* can have but *one* effect. They *may* impose

upon our *incurable* credulity; but they will *not* relieve us from the heavy responsibility, that *we knew* our fellow-creature, our fellow-subject, our Christian "neighbour," was "stripped of his raiment," was "wounded," was left "half-dead," and *we* "passed by on the other side," waiting, like Felix, with the sound of "judgment to come" ringing in his ears, for a more "convenient season."

# APPENDIX.

No. I.

“OUT OF THINE OWN MOUTH WILL I JUDGE THEE.”

## OUR CASE MADE OUT.

LORD GLENELG A WITNESS

IN FAVOUR OF

THE IMMEDIATE AND TOTAL ABOLITION OF NEGRO APPRENTICESHIP.

*The following Answers to the Questions are taken from the Reports of Lord Glenelg's Speech in the "Times" and "Morning Chronicle" of Wednesday, February 21st, 1838.*

1. *Abolitionist.* Has the negro a right to liberty?

*Lord Glenelg.* “The Government acknowledges the right of the negro to freedom.”

2. *Abol.* Has the negro, since the 1st of August, 1834, exhibited a fitness for entire freedom?

*Lord G.* “I am aware that the negroes have shown great patience, docility, and forbearance in the state of transition which they have undergone; and I am aware that they have displayed much calmness, mingled with gratitude to the Supreme Being and to this country.”

3. *Abol.* Will the negro work for hire?

*Lord G.* “I admit that the negro is willing to work for wages.”

4. *Abol.* Are Abolitionists justified when they seek the immediate extinction of the Apprenticeship?

*Lord G.* The complaints respecting the state of the other colonies are not so numerous or considerable as those respecting Jamaica. I must allow, with respect to the latter colony, that many evils exist, which might be made the grounds for claiming the abolition of the apprenticeship system.”

5. *Abol.* Are the statements made by Lord Brougham, in his speech on the 20th of February, any way exaggerated?

*Lord G.* “Did I say that Lord Brougham has exaggerated his representations? No such thing.”

6. *Abol.* Do you

*Lord G.* “I have made every effort to

expect the Colonial Assemblies will adopt any measures for the amelioration or abolition of the system ?

7. *Abol.* Has the law regarding Classification been carried into effect ?

correct the proceedings of local assemblies. The efforts of my noble friend near me (the Marquis of Sligo) have been to correct the evils complained of. My noble friend has appealed to the House of Assembly upon this and many other grievances (hear, hear.) Sir Lionel Smith has sent a message to the House of Assembly, recommending to them the consideration of many such grievances. The message was sent on the 2nd of November; it was referred to a committee. The house sat until Christmas, and then it adjourned at an unusual time, until February, and not a single topic recommended to its notice had been taken into consideration. Now it was necessary for him to say, that though they had nothing to hope for from the local assemblies of the colonies, yet he trusted that they had every thing to hope for from parliament."

*Lord G.* "Your lordships are aware that, by the Abolition Act, the apprentices are divided into different classes—the predial and the non-predial apprentices. The non-predial apprenticeship is to continue until the 1st August, 1838, and the predial apprenticeship until 1840. In several of the colonies it appears that an incorrect arrangement had been made, and the slaves are thus injured. In Jamaica there had been no classification law whatever passed until last year, and then it was of such a nature that I could not allow it to receive the sanction of the government of this country. Up, then, to this moment, no classification law has passed."

8. *Abol.* How has the "eight hours' system," which your Lordship characterized an "*inconvenience*" which it would be better to pass over in "*silence*," operated on the welfare of the negro ?

*Lord G.* "In Jamaica this has given rise to great discontent. It has acted very injuriously to the negro, for while the nine-hour system secured to the negro a holiday every Friday, the eight-hour system precluded him from that indulgence, and left him but the refuse of the day for raising his own provision."

9. *Abol.* How has the Workhouse system been administered ?

*Lord G.* "It is true that apprentices are condemned to workhouses, or houses of correction, placed under local laws, for

apprentice offences, or offences affecting the interest of his employers. For every inconsiderable offence of this kind the apprentice is committed to a workhouse; he is removed from the protection of British law, and from that moment the admission of special magistrates is carefully prevented. I will not enter into more sad scenes to which my noble friend has alluded as occurring in these workhouses—scenes on which it is impossible for the mind to dwell without horror.”

“Many facts have been elicited regarding these workhouses, in the course of the examination before a select committee of the House of Commons, which prove that the most horrid cruelties are perpetrated in them, and present a most disgusting picture of West Indian punishment.”

10. *Abol.* Have the Special Magistrates been able to discharge their duty?

*Lord G.* “In Jamaica, especially, the magistrates had been most improperly interfered with. A system of general annoyance had been practised, not of a nature to be openly and publicly noticed, but still quite sufficient to defeat the purpose for which they were appointed. Every advantage had been taken of technical distinctions of the law to interfere with the course of the magistracy, and to defeat the administration of justice.”

“I have to observe that one mode adopted of annoying the magistrates was by prosecutions and actions at law against them. If a magistrate were considered to act in a manner contrary to the interests of a particular planter, he was instantly threatened with a prosecution, and thus by proceedings of this nature men were deterred from the rigid and exact performance of their duty. Where magistrates had been so treated, and were condemned with costs, this country had indemnified such magistrates. Thus, these magistrates were not permitted to suffer any pecuniary loss. But what indemnity was this to such gentlemen for all the care, the trouble, the anxiety, and, it might be even added, the partial loss of character, thus entailed upon them? He was held up as an ob-



ject of odium to men of his own character and station; the courts of justice were closed against them, and the proprietors were triumphant. In this latter sense at least they could not be indemnified."

11. *Abol.* Have any difficulties been thrown in the way of manumission?

*Lord G.* "In many cases it is found that the apprentices are over-valued."

12. *Abol.* Have the indulgencies granted during slavery been continued to the apprentices?

*Lord G.* "Many allowances and indulgencies enjoyed by the slaves under the old system have, I am sorry to say, been refused to the apprentices by the planters. It was usual formerly to allow a mother to attend any of her children when dangerously ill, and not to require her to make up the time so employed."

"Mothers who had six children, and aged persons, were not formerly expected to work in the fields. I regret to have to state, that these customs have been discontinued; and now a mother is refused permission to attend any of her children, even though in a dying state, and old age is exposed to the same hardships as the confirmed strength of manhood."

"It was a common practice formerly to allow the food of the apprentices to be brought to them in the field where they were at work, and persons supplied them with water during the hours of labour. These indulgencies are now, however, in many cases, completely abrogated; and the apprentices have to spend the hour which is allowed them for their meals in procuring and cooking their food."

13. *Abol.* Is there any foundation for the horrifying statements in the Narrative of James Williams?

*Lord G.* "I felt it my duty, however, to take notice of a pamphlet published last summer by James Williams, an apprentice in Jamaica, which I think it likely may have met the eye of many of your lordships. I sent particular directions to the governor to set on foot a thorough investigation of his case, and I regret to say that too much foundation existed for the statements made in that pamphlet, the truth of which I could hardly have believed. The reports of the commissioners who conducted the inquiry will be laid on the table



















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